

THE CHANGING SHAPE OF INDIAN POLITICS

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PREFACE TO THE FIRST EDITION

This series of articles was begun with a view to give an Indian's reactions to Prof Coupland's work on the constitutional problem of India. By very nature of my pre-occupations, I had to do the work piecemeal, and the articles when ready were published from time to time in the weekly *Social Welfare*.

It was originally intended that my friend Mr J M Shelat, M A, Bar-at-Law, would help me for the whole series. But ill-health prevented him from helping me except in the case of three chapters.

The last chapter was written after the Sapru Committee was appointed, and I have recast my views in the form of a memorandum to that Committee, which I was invited to submit.

The history of the last 150 years of British rule is a history of conflict between India and her foreign rulers. The history has assumed different shapes and patterns, but the central theme has remained unchanged. Every situation is a by-product of a clash between the National Will to Freedom and the foreigners' will to fasten serfdom on the country. So is the deadlock that prevails today.

But if in our anxiety to secure the transfer of power from Britain, any step is taken to disrupt the integrity of India or its institutional continuity, it will be fraught with incalculable danger. Much as I would see the banner of freedom held aloft at all moments,

I dread to lose the Nation's integrity which obtains in the shape of the political unity of the country. That is why, though believing in the efficacy of Satyagraha and its necessity as a weapon of warfare, I have not been able to share the view that withdrawal from governmental institution is necessarily a virtue

Early in 1937 when urging the acceptance of office by the Congress, in the Press, I wrote.

"The real objective of the Congress, therefore, is to prepare the country for a new life, a life in which mass movements characterised by strenuous resistance to all things anti-national alternate, with intensive activity for gaining greater control over all forms of social organisations, governmental and non-governmental. During the present lull, therefore, the Congress has to seek every opportunity to bring all publicly organised activities under the control of well-drilled Congressmen under the direction of a single will"

A strong Centre is to my mind the supreme essential for India's progress, political, economic, as well as social and cultural. No progress, no future is possible without it. If I had my way, no compromise would be permitted without it.

In 1939 in "*I follow the Mahatma*" I wrote as follows

"The British power at the Centre alone kept up the illusion that India as a whole was a nation and in reality we had in the Princes and the communal rivalries a real obstacle to overcome, before national solidarity could be achieved."

India cannot be a Dominion. Its internal complexity and its international frontiers by land and by sea made it more than a Dominion, if the British army and navy were replaced by the Indian substitutes and less than a Dominion, if the British army and navy were retained

When foreign rule is eliminated we want to be stronger and independent, not a prey to external danger or internal conflict.

I hope this work would help the country to think on lines which would lead it to Power and Freedom

BOMBAY
Independence Day, 1945

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K M MUNSHI

PREFACE TO THE SECOND EDITION

This is not exactly a second edition of my book the *Indian Deadlock* published in the middle of 1945. It is an altered and considerably enlarged edition.

The first edition was a collection of my articles in the *Social Welfare* suitably altered and ended with the memorandum I submitted to the Sapru Committee. To them has now been added several other articles so as to bring the book up-to-date. Though written at different times during the last three years these articles form connected studies of the problems of Indian Politics the shape of which has been changing from day to day. They will be helpful to those interested in the future of India.

The proposals of the British Cabinet Mission and other connected documents are appended to the book to make it more useful.

K. M. M

I

BRITISH CASE AGAINST INDIA

Prof Coupland has modestly called his contribution to British political literature on the Indian problem as a Report*. It is not characterised by the clumsiness which is generally associated with Government inspired propaganda. With the lucidity of an Oxford don, the learned professor has unfolded his thesis, in which are cleverly blended historical aspects, facts and political speculations with the object of proving the futility and the barrenness of Indian Nationalism. The air of objectivity makes it all the more dangerous to clear thinking.

A slave whether an individual or a nation is under a cruel disadvantage. What he is and what his capabilities are, are decided by the master. What malady he is suffering from depends upon the master's diagnosis, what cures have to be applied, upon the latter's self-interest. India's capabilities, ailments, her weakness and its cure, have to be judged by the British from their point of view. For this purpose Prof Coupland has furnished elaborate material.

The First Part of the Report is concerned with the constitutional survey upto the introduction of the changes under the Government of India Act of 1935, the Second Part deals with the interim period from

* *Report on the Constitutional Problem in India Parts I, II & III.*
Oxford University Press

1936 to 1942; the Third, and by far the most important, Part contains the case against Indian Nationalism, presented with the air of a trained academician and the adroitness of a clever fencer

In the Second Part, as if preparing for the Third Part, the learned professor marshalls facts to show.

Firstly, that in non-Congress Provinces responsible government has operated more or less in accordance with the intentions of those who framed the Constitution Act

Secondly, that Provincial Autonomy was negatived in the Congress provinces by reason of the "unitary" and totalitarian policy adopted by the "Congress High Command" and their policy of having ministries pledged to Congress loyalty, thus barring the way to coalition ministries. The word 'totalitarian' which unthinking minds consider the last word in political abuse is brought into service subconsciously to condemn the supervision which the Congress Working Committee exercised in order to enforce policies to which the Congress was pledged

Both these propositions, now the acknowledged armoury of anti-Indian official propaganda, carry with them deadly implications. If they are accepted without analysis, they would surely make Prof Coupland's Third Volume look less of political propaganda than what it really is

The intention of framing the Act of 1935 as was repeatedly stated by British statesmen in and out of Parliament was to take India one step further on the roadway of 'progressive realization of responsible self-government' leading to the goal of full Dominion Sta-

tus as contemplated in the Statute of Westminster. If this was the intention, the Coalition Ministries in certain provinces in India are anything but success, despite Lord Wavell's recent opinion to the contrary. Ministries without a backing in the legislature are chosen by the Governor or continued as a result of his goodwill, they are dismissed at the sweet will of the Governor. On several occasions parties without a programme or cohesion have been formed temporarily to provide pay and position for a few important members of the assembly, and the members once installed in power are known to hang on the Governor's goodwill rather than on the support of any party in the legislature. The Ministries are permitted freedom of action in unessentials. But in essentials it is otherwise. The Police, for instance, in important matters take their orders direct from the Governor, the Minister only registering the decree, if at all. The case of a Minister appealing to his white Secretary to agree to make an order has not been an unknown event. That a coalition ministry in India is a democratic facade behind which the Governor rules through the bureaucracy is a fact which Prof. Coupland has omitted to register. He is too shrewd not to have noticed it. But everyone in India knows it, including the participants.

Prof. Coupland has before him facts. I gave him some to show how the Congress Ministers acted consistently with British and Canadian principles of responsibility, how within the restricted sphere of provincial subjects they declined to deflect themselves from the degree of responsibility which Dominion ministries enjoyed in other parts of the Commonwealth; how a Governor like Sir Roger Lumley scru-

pulously upheld the best traditions of the Governor of a responsible Dominion.

Prof. Coupland, despite this knowledge, has preferred the first type of ministries to the second, considering them to be the type envisaged by the framers of the Act. The inference is obvious. Either the framers under the guise of putting up responsible government were only putting up frauds on democracy, or Prof. Coupland would like to have such frauds established in all the provinces in India to suit his *a priori* idea as to what freedom India should have in the future.

The facts, however, remain. The Congress Prime Ministers asked for an assurance that the Governor's discretion should be held in abeyance. The Congress Ministries acting in the highest tradition of responsible ministries worked in the best interests of their provinces. The British statesmen time and again were moved to compliment the Congress ministries on their strength and impartiality. The Governor-General and the Governors were loath to part with them in November 1939, and for some months tried to wean them back to office. Till May-June of 1940 British statesmen were anxious to get back the 'totalitarianism' of the Congress High Command, so long, however, as the Congress gave up its claim to a transfer of power at the centre. Only when the Congress Ministries refused to go back to office, on account of the British refusal to part with power at the centre, official propaganda put forward the so-called 'totalitarianism' of the Congress High Command as a stunt to encourage reactionary elements in the country to rally round the Government against the Congress.

Prof Coupland in his Report has supported this propaganda

II

WHO WAS TOTALITARIAN ?

Prof Coupland's misuse of the word 'totalitarian' warps the logic of his thesis 'Totalitarian' in the accepted sense of the term means that characteristic of authority which exercises control over all spheres of life, leaving no freedom to the individual. In that sense the Congress High Command was not totalitarian. It never sought to stifle individual freedom; it never exercised control over all spheres of life. All that the Congress Working Committee did was to win the elections in ten out of thirteen provinces on a specific programme in 1937. Then it guided the Provincial Congress parties to select leaders it trusted. It extracted assurances from the Governors, with the consent of His Majesty's Government, to hold in abeyance the 'discretion' given to them by the Act. It helped the ministries to implement the programme on which they had won elections. And lastly, it exercised the supervisory jurisdiction when a minister failed to carry out his duties consistently with the pledges the Congress had given to the people.

This is not totalitarianism, if it is, every effective political party under a responsible government is guilty of it. By the very nature of democracy, a party machine which wins an election has to choose true instruments and has to see that the pledges which enabled it to win an election are faithfully implemented.

The expulsion of so great a leader as Sir Stafford Cripps from the Labour Party shows that democratic parties are as vigorous in enforcing discipline as Fascist parties, the only difference being that in one case the punishment is expulsion, in the other death.

The Congress was in office in order to secure the transfer of power from British to Indian hands, and it could not afford to commit political suicide by not making its ministries effective instruments of power. The under-lying assumption of Prof Coupland is that the ministries became Congress instruments of power against other parties. This is not true. They were instruments wielded against British power. This truth is ignored in Prof Coupland's Report.

When the Congress Ministries took office as the representatives of the majority party in the legislatures, power was in British hands. The machinery of provincial governments consisted of the Civil Service, the Police, and the Judiciary. Of the Civil Service the chiefs were the Commissioners, of the Police, the I G P, of the Judiciary, the I C S District Judges. The powers of these high officials mostly British or Indians attuned to British outlook were conducted and supervised by the Secretaries under the vigilant eye of the Chief Secretary. The pay, prospects and promotions of most of these officers were governed by rules which could no be touched by the legislature but only by the Secretary of State, whose representative was the Governor. The Chief Secretary, the Commissioners and the I G P were mostly British, bound to the Governor by ties of race and tradition and formed an instinctive pro-British alliance against Indians anxious to secure and exercise new found power. Their

social contacts gave them scope for comparing notes and taking decisions

Against this trained and serried phalanx the ministries had to assert the authority of the elected legislature. If I may misuse the word 'totalitarian,' as Prof Coupland has, the ministries were charged with the task of breaking the totalitarian power of the Governor and the bureaucracy.

Under the Constitution Act, the Governor's totalitarianism was preserved in diverse ways.

First, the discretionary powers of the Governor were amply preserved at all effective points

Second, his power to dismiss a minister as distinguished from the dismissal of the premier or dissolving the legislature, was also preserved.

Third, the Civilian secretary had direct access to the Governor behind the Ministers' back

Fourth, in matters of discipline the higher officials had a right of appeal to the Governor or the Secretary of State

Fifth, all orders had to be issued by and under the signature of the Secretary.

The Congress ministries as for instance, the Bombay ministry, about which I had first-hand knowledge resisted this gubernatorial totalitarianism in the following manner

Firstly, the Governor had to give an assurance to keep in abeyance his discretionary power, with the result that the exercise of the discretion became a first class constitutional issue involving immediate resignation.

Secondly, the ministries acted as a single unit for all purposes, so much so that a Cabinet meeting was in important matters reduced to a dialogue between the Governor and the Minister concerned, backed by all his colleagues.

In Bombay, our closed door ministerial conferences became a daily affair, at the end of which all ministers came out with one view a thing which baffled many. But it had the effect of making the ministry the real centre of power.

Thirdly, by convention the Secretary was made to record the summary of his conversation with the Governor when he saw him and the Governor consulted the Minister in all actions which he proposed to take in matters which under the Act were subject to his discretion.

Fourthly, in matters of discipline of the higher services, ministers made a unanimous recommendation, leaving the Governor no alternative but to accept the recommendation or to dismiss the ministers.

At the same time all the ministers discussed matters frankly with the Governor, establishing a relationship which enabled the Governor to exercise his influence on the decision. The discussions by an individual minister with the Governor were reported to the Prime Minister.

In this way the ministry became a compact instrument of popular power like a Cabinet in England or a Dominion drawing its strength from the majority party returned on as wide a franchise as in any civilised country.

The workings of the Coalition ministries in non-Congress provinces are well-known. The Governors use their discretion freely. The ministers are not a homogeneous body. Very often a Governor's 'good-will' maintains a minister in power. A minister or ministers having an understanding with the Governor against his or their colleagues is a well-known feature. The Secretaries are known to have acted behind the ministers' back and in alliance with the Governor. At the Governor's instance police have watched the ministers' houses. Prime Ministers with the confidence of the legislatures have been dismissed. Ministers have disowned their parties, and thanks to the Governor, continued in office.

When Prof Coupland, therefore, uses the word 'totalitarianism' he means that by reason of the cohesive influence of the Working Committee, the Congress ministries became effective instruments of power, subordinating the bureaucracy to its policies and elevating the Governor to the pedestal of a constitutional monarch. The coalition ministries leave the Governor a complete master of ministries. Is this the form of democracy which this learned professor likes to perpetuate in India?

III

PROF COUPLAND'S CHARGE-SHEET

1. Congress and The States?

The charge of Prof Coupland against the Congress, as in 1937, is stated as follows

On the morrow of their victory at the polls, the Congress had determined to strengthen their position (a) by forcing the pace of constitutional advance in the States, and (b) by absorbing minority parties especially the Muslim League in the Congress organisation

The first charge is (a) that the Congress in 1937 decided to force the pace of constitutional reforms, and (b) that it was so decided in order to strengthen its position

This charge carries the fallacies of *suppressio veri* and *suggestio falsi*. For political purposes Britishers may divide India as Indian India and British India, but the social and economic life of India is one and indivisible. The people of India are one, though some reside in British districts and others in Indian States. The languages, the social and religious life, and patriotism know no such distinction. For many years before 1937, the Congress as the highest organised expression of Indian Nationalism had evoked the loyalty and support of the people of Indian States.

The governance of many of the Indian States was crude, inefficient, corrupt, largely influenced by palace intrigues. People from the States naturally turned to Congress leaders for guidance. As the leaders of Nation they cannot but sympathise with the people of the States in their desire to alleviate their plight. But the Congress as a body resisted all attempts at interference. In 1934 December, Dr Rajen Babu the then President, at the A-I C C meeting held at Madras threatened to resign if the A-I C C voted in favour of interference.

When the Congress was returned at the head of the polls in the elections of 1937, the people of the States experienced a natural feeling of strength. Some of the Indian Princes and their Dewans were anxious to make friends with the Congress and come into line with the British Provinces as regards constitutional reforms.

Take the Rajkot case which is in point. Sardar Vallabhbhai did not intervene of himself. The State authorities themselves sought his assistance in solving the differences between the State and its people. Accredited representatives of the State, including Sir Patrick Cadell, the ex-civilian Dewan of Rajkot, met him to help it out of the difficulty. Sardar Vallabhbhai went to Rajkot and settled the dispute between the State and its people.

Then the Political Department of the Government of India came on the scene. The State was reclaimed to strict obedience. It is a sorry tale. The terms that were settled between the Sardar and the State were broken. Gandhiji went on a fast to preserve its integrity. Lord Linlithgow intervened to save his life. The Political Department was too powerful even for the Viceroy. Their policy was laid down by Lord Canning eighty years ago. The Indian Princes were to be powerful instruments of India's subjection to Britain. The Indian Princes were told to have nothing to do with Congress leaders. Tenacious of their dynastic rule, which has survived a thousand years of changing paramountcy, they rallied against the Congress under the directions of the Political Department. The achievements of Mr. Gibson in this direction remain unstudied by Prof. Coupland, or if he did study

them, he forgot all about them when he wrote his Report.

Gandhiji closed the Rajkot affair by an open withdrawal. The Rajkot affair was the turning point. The British found that the Indian States were slipping out of their hands. In order to retain their hold over them they used the Indian Princes to stifle the liberalising movements going on in Indian States.

Another instance in point was when the trouble between Limbdi State authorities and its subjects was settled through my intervention in 1941. The settlement had to be abandoned because again the Political Department did not relish the friendly help of a British Indian public man connected with the Congress in the affairs of the State.

The Congress did not intervene in the affairs of the State. A process inevitable in an organically united country like India had set in after 1937. The Princes and their people wanted to adjust themselves to the new conditions which responsible governments in the Provinces had brought about. The British officials wanted to keep the Indian States as a preserve for their unrestricted power, and they forced the Princes to give up the attempts at adjustment.

This effort of the Political Department would have been of little avail had the Congress not parted company in November 1939 by its Ministries resigning. For in 1939, Viceroy Lord Linlithgow himself was unequivocally ready to force the pace of constitutional advance in the State. Only his instruments in the Political Department were not as ready as he would wish. Only when the Congress parted company from

the British Government at the outbreak of the War, was this charge invented, as a stick to beat the Congress with.

Prof Coupland, therefore, is in error when he attributes to Congress an intention to strengthen its position, in 1937, by forcing the pace of constitutional reforms; for,

(1) no such intention existed in 1937,

(2) the intervention of Congress leaders was invited by the State authorities in 1938,

(3) the Viceroy and the Congress Leaders in 1939 were working in co-operation to accelerate the pace of constitutional reforms in the State,

(4) after November 1939, when Congress Ministries resigned, the charge was invented by British propaganda to discredit the Congress

IV

THE CONGRESS AND COALITION MINISTRIES

Prof Coupland's second charge against the Congress is that its mass contact programme was an attempt to merge the Muslim minority in the Congress, that by refusing to accept coalition ministries with the Muslim League it wanted to absorb the Muslim minority in the Legislature, and become totalitarian, and that it was as a result of this policy that the Pakistan issue came to the forefront as a menace to the integrity of the country. Even apart from Prof. Coupland, some critics both in India and Great Britain,

particularly after the Congress surrendered the Ministries, have challenged the wisdom of the Congress leadership in refusing to set up multiple ministries. Official propaganda has been busy in attributing the growth of the Two Nations theory to the fact that the Congress set up their own ministries.

Underlying this charge is an unexpressed implication which is dangerous to the country as a whole and therefore unacceptable. That implication is that India is not a nation and should never be a nation, that it consists and should consist of the Hindu community and the Muslim community in constant conflict, that the Congress is and must be a Hindu body, that every attempt to enrol Muslim members in the fold of Nationalism is an attempt to submerge the minority. This is Mr Jinnah's thesis. Curiously it is also Prof Coupland's, though thinly disguised.

Nationhood is not a matter of religion or race, but it is one of communities purposively willing themselves into a nation and pursuing collective action under the urge of such a will. The antagonism which subsisted between the Hindus and Muslims in the past had been adjusted when the British came on the scene. The Great Indian Revolt of 1857 was a national revolt around the memories of the Mughal empire against the foreign domination of the East India Company. The Indian National Congress was similarly brought into existence by Hindus, Mussalmans and Europeans as the expression of the national will against the British domination of this country. From 1885 till 1909 the Hindus and Mussalmans were together on the Congress platform to fight foreign rule.

It was now established beyond controversy that a Britisher, Beck, taught Muslims the doctrine of separation. Mr. Archibald of Aligarh College organised the 'Command performance' of the Aga Khan for separate electorates for the Muslims, which was readily accepted by Lord Minto in 1909. As a result the largest minority in the country was taught a separatist outlook to prevent the Indian Nation from acquiring strength. The separate electorates under the Morley-Minto Reforms were the British countermove against the National will which was asserted during the Bengal Partition movement.

Since that day the Indian Nation had to fight the British not merely on the political plane but on the communal plane to prevent the British from strengthening the separatist tendencies of the reactionary section amongst the Muslim. The Hindus wanted the Muslims as comrades, the British saw to it that the Muslims constituted them their trustees against the Hindus. It was an age-long imperialist device.

In 1915, the Congress in an attempt to placate separationism accepted at Lucknow a compromise on the basis of separate electorates, which even Mr. Montagu disapproved. The poison once introduced circulated fast enough by the stimulants which the British gave it from time to time. From and after the Montford Reforms it became the settled policy of the British officials in this country to treat India as Hindu and Muslim, and to look to the reactionary Muslims thrown up by separate electorates as representatives of the community.

In order to overcome this policy, Congress adopted two fundamentals: Resistance to alien domination and

amicable settlement of Hindu-Muslim differences. By reason of the Government's policy the second fundamental became closely interwoven with the first; the first required substantial if not entire unity, and unity in its turn was dependent on the success of the other. On account of the strenuous efforts of the Congress, which had by then come under the leadership of Gandhiji, to bring about Hindu-Muslim unity, the British policy was concentrated on employing every volt of diplomatic energy in seeing that the communal problem became more and more intricate.

From separate electorates the Muslims were encouraged to ask for redistribution of provinces with a view to secure a balance of power. From the British point of view it was a first class device for checking national progress. It was Ramsay MacDonald's award that perpetuated the array of Muslim provinces against Hindu provinces thus introducing a constitutional barrier to national government. The Congress in search of ways and means to overcome this poison began a programme of enlisting a large number of Muslims in its rank so as to present the British with a united National Demand.

The Congress with the objective of attaining full freedom and communal unity was returned at the polls in 1937. The Muslim League candidates who were returned to the legislature formed a small fraction of the total of the Muslim representatives in the legislature. No one till then ever dreamt that it was a sin for a party like the Congress to form its own ministries.

In the situation which the legislatures faced in 1937 coalition or multiple ministries were out of ques-

tion The Muslim League had not sufficient number of Muslim members to start with Among the independents there was a good number of Muslim members wanting to be ministers. A multiple ministry would have been weak; the Governor and the bureaucracy would have outridden the ministerial power and the national will as expressed by the legislature would have been circumscribed Further, such ministries would have frustrated the national unity which the Congress represented The communal groups would have permanently become component parts of the administration just as the British had made them in the legislatures, destroying every chance of effective executive government If the Congress had agreed to set up multiple ministries the anomalous result would have been that while insisting on Indian nationalism it would have perpetuated a multiplicity of communal claims, its representatives thus destroying the very object of their existence. The only alternative left was to associate with the ministry Muslim members who believed in national unity and the will to national freedom and who did not insist on the division of administration on racial and communal grounds In Bombay several Muslim independent members were ready and willing, nay, anxious to be members of the Congress ministry It was impossible to placate all and when they were not placated they straightaway went and joined the Muslim League party The Muslim League party in the legislatures was not the result of elections but of frustrated individual ambition

Prof Coupland in his book reads in the Muslim mass contact movement of the Congress a desire to

submerge the Muslims In its true perspective the movement was the natural outcome of the Congress policy to bring about Hindu-Muslim settlement within its fold and facing the foreigner as a united nation If the learned Professor had been an unbiassed critic he would never have regarded the Congress call to the Muslims for co-operation and understanding so necessary in its gigantic fight against the foreign rule, as an attempt to submerge the minority

Through the years 1937 to 1938 and part of 1939 Lord Linlithgow was as anxious to prevent the separatist tendency of the Muslim League as was the Congress As a matter of fact he insisted on the introduction of the federal part of the Constitution Act of 1935 in order that the League may not be able to drive the Muslim masses on the dangerous pathway of disruption

The fact was that the British statesmen themselves wanted to introduce the federal part of the Constitution as early as possible, and right till 1939 looked forward to Congress co-operation in that objective They did not favour coalition ministries till then When the Pirpur Report regarding the so-called atrocities of the Congress ministries was significantly prepared just about the time that the Congress ministries resigned, at least three Governors including the UP Governor vouched for the fairness of Congress policy and denied in unambiguous language the reckless charges trotted out in the Report

If war had not forced the ministries out of office in 1939 and if they had gone to the polls next year Hindus and Muslims would have combined to return overwhelmingly national legislatures It was only

after the Congress left the Ministries, that in order to counter American propaganda in favour of Indian freedom, communal agreement was made by the British as the condition precedent to any political progress in India. Muslim League, in consequence, came to be invested by the British with a veto on Indian freedom and became intransigent. The official agency thereafter began to lay the blame of such intransigence at the doors of the Congress as purely a world propaganda against the Congress.

And secure in the consciousness that the British will not part with power, the League has continued in its attitude of rejecting all proposals while failing to define its own.

V

PROF COUPLAND'S MAJOR FALLACY

First Stage, India Enslaved

There is a major fallacy which throughout the three volumes of his Report vitiates Prof Coupland's logic and diagnosis.

The assumption throughout has been that during the last 125 years Englishmen never supposed that India's subjection was a permanent dispensation *. The author starts by quoting Hastings (1818) that "the time not very remote will arrive when England will, on the same principles and policy, wish to relinquish the domination of India". He ends by assuring himself and those who agree with him that "the cardinal

* *Coupland*, I, 18.

principle of British policy, viz, that Britain is ready to make full and final transfer of power into Indian hands" stands unchanged. What was "not a very remote time" in 1818 has come, in 1944, were it not, according to Prof Coupland, rendered endless by Hindu-Muslim antagonism.

"Grow up, my boy," says the Indian adage, "and I shall get you a wife." This was the policy in 1818. It is the policy on which this Report is based. But everyone in India outside the small section who live on British patronage, and every freedom-loving observer outside India, knows that Britain had no intention to part with power; that it has none today, and that the mastery of modern power politics has enabled her to create conditions in which it is impossible to enforce the fulfilment of the intention, if any high-minded Britisher entertained it. The assumption may now be historically examined.

When the British power emerged on the Indian scene, India had had a continuity of traditions and institutions welding her life into a great harmony. In every sphere except in the art of war she had been on a level with, if not in advance of, the most civilised countries of the world. The imperial tradition in India which was enshrined in song, myth and tradition representing the greatness and unity of the country, had curiously come to surround the Empire of the Moghuls who had thrown in their lot with the people and drawn the support of Hindus and Muslims alike. Emperor Akbar, the greatest of them, was a national tradition. The Mahrattas had established imperial sway over large parts of the country. Racial

* Coupland, III, 10

unity between Hindus and Muslims, coupled with social and cultural contacts created during the preceding four centuries, had led to an adjustment. For several centuries there had been no line of hostility drawn between Hindu powers on one side and Muslim powers on the other in the country. In spite of social and religious differences Hindus and Muslims never dreamt that they were two nations, or that India was not their common Motherland.

In 1857, Hindus and Muslims combined in the name of the Moghul emperor to drive out the British from the common Motherland. What is called, from a British point of view, the Indian Mutiny has been described not quite inaccurately as the War of Indian Independence. It was "a war fought over so vast a territory and by an alliance which included more diverse forces than had ever united in India against any conqueror from outside". In order to crush this resurgent India, Britain had "to turn different sections of the Indian people against one another by encouraging group and provincial enmities".† The ancient hostility of the Sikhs against the Muslims was exploited to destroy the Muslim army.

India lost its independence. Britain, with complete thoroughness, wiped out the old India. The national focus which the Moghul tradition had created was destroyed. The homogeneity of the Indian Army was disrupted. By discriminatory recruitment a new army based on communal, tribal, caste and provincial distinctions was brought into existence. Hostile groups were counterpoised against each other in

* Edward Thompson, *History of India*, 70

† Sir John Seely, *Expansion of England*, 270

its formation "Dangerous" districts and intellectual classes were excluded Indians were barred from higher posts altogether Pathans and Punjabis who were less than 10 per cent of the army in 1856 formed 47 per cent in 1858 and 58.5 per cent in 1930 Recruits from North-East India, U.P. and Bihar fell from 90 per cent in 1856 to 47 per cent in 1858 and 11 per cent in 1930 Dalhousie's policy of doing away with the old decrepit Indian States was reversed The object of keeping them alive was thus stated by Lord Canning in 1860

"It was long ago said by Sir John Malcolm that if we made all India into Zillas (British Districts) it was not in the nature of things that our Empire should last fifty years, but that if we could keep up a number of Native States **without political power, but as royal instruments** (bold mine) we should exist in India as long as our naval supremacy was maintained Of the substantial truth of this opinion I have no doubt, and the recent events have made it more deserving of our attention than ever"

The "Allies" of His Majesty came to be subjected to the arbitrary rule of the political Department of the Government of India, that is by a British Secretary of one of the most confidential departments The Viceroy was there to remind them that 'Paramountcy must remain paramount' Prof Rushbrook Williams more than fifty years later reconfirmed this view "The situation of these feudatory (Indian) States, checkerboarding all India as they do, is a great safeguard It is like establishing a vast network of friendly fortresses in debatable territory."

* Ambedkar, *Thoughts on Pakistan*, 70.

The old autocracies in the British-acquired territory were replaced by a British governing corporation invested with the most far-reaching autocratic powers. Each province had a British Governor, each district had its ruling chief in a British Revenue Collector who held court with the British District Judge and British Superintendent of Police as the replicas of the old ministers of Justice and War. Even in the days of the Turkish and Afghan inroads, the foreign ruling chief had to make peace with the local magnates. After 1857 the complete disarmament of the people made the White autocrats the unquestioned masters of the country. The local magnates disappeared as centres of power unless they were prepared to shine in the glory of borrowed light by playing flunkies to the British autocrats.

Historic continuity was snapped not only in matters of political structure but even in other spheres of life. The aristocrats of North India, Hindu and Muslim, were destroyed. Their traditional career of arms was closed to them. Middle class Hindus were attracted to the new regime by low paid jobs in government services. The glorious memories of a past greatness were meticulously wiped out. The vestiges of Moghul rule were removed. Poona, the second Imperial Capital in the country, became an annexe to the British Governor's monsoon capital at Ganesh-kind and the British military camp at Kirkee. The Khalsa was left without a guru to maintain the patriotic traditions of Guru Govind Singh. English, a foreign tongue, was made the only passport to position, thus depriving Indians of the pride and heritage which their indigenous literatures gave them. Uni-

versities became breeding grounds for useful adjuncts to the British rule. Pride in the past became a thing of shame. The dignity and sense of one's cultural heritage was forgotten.

Social and political life was so carefully deranged that a new and helpless India came into existence. No national focus was left to attract the political ambitions of the people. The old values were transformed. One of the proudest peoples on earth began to look upon themselves as uncivilised, and the hated East India Company emerged as the 'benign' British Government.

Thus did the British accomplish the enslavement of the country and the corruption of her soul.

VI

HINDU-MUSLIM ANTAGONISM

(1857-1909)

If the old bulwarks of national strength had been destroyed, the national consciousness and will were forming new centres within the stifling structure which the British were building. Ram Mohan Roy (1772-1833) under British encouragement developed the new outlook that British rule was a divine dispensation. He founded the first religious movement, the first political lead, and the first Press in India. He was recognised as a safe pro-British Indian who could destroy the influence of the fiery warlords of 1857, who were eating their hearts out in angry despair. On the other hand, during the Great Revolt a Sanyasi, Dayanand Saraswati, from Gujerat, furious at his country's

helplessness, was devising ways and means to restore strength and dignity to his country "undermining the belief in the superiority of the White races."*

Frightened at the outburst of hostile feelings in India, mid-Victorian Liberalism framed the Queen's Proclamation of 1857 as a tempting bait of equality to the Indian elements willing to be reconciled. But soon, all means were taken to 'break to the heart the promises they had uttered to the ear'†. Even Indians trying to enter the ICS were tricked out of it by childish excuses or impossible age limits‡. The oriental title of Kaiser-i-Hind was assumed to impose a badge of servitude and was considered 'a national humiliation' by India\$. At the end of Lytton's regime in 1885 the country bordered on a revolution.

Lord Ripon, a transparently honest man, was sent to placate her. He tried to translate the broad spirit of the Proclamation into action. But his efforts were defied by Britishers in India, and decried by them in Britain. The Ilbert Bill had to be withdrawn as a result of Anglo-Indian agitation which wanted to preserve their race superiority. The noblest of Britishers whoever came to India thereupon resigned and left the country a 'defeated, if not a disappointed man'¶.

In spite of these blows the national genius was recovering consciousness. In 1875 Dayanand founded the Arya Samaj, in 1883 Banerjea convened a national conference, and Hume appealed for an association for the political organisation of India.

* Besant, *Case for India*, 27

† Viceroy Lytton's confidential despatch

‡ Banerjea, *A Nation in the Making*, 1827, p. 13

\$ Pradhan, *India's Struggle for Swaraj*, p. 43

¶ Blunt, *India Under Ripon in 1909*, p. 312

In 1885 the Indian National Congress was founded by leading Hindus, Muslims, Parsis and Europeans, all acting as nationalists on a politico-economic platform. It began humbly, protesting loyalty and seeking only higher posts or redress of administrative grievances, for, its leaders were devout believers in the democratic liberalism of the Victorian era, and like Ram Mohun Roy considered India's association with Britain a "divine dispensation"

The Congress at once became the focus, embodiment and instrument of the nationalism of the English educated in the land, through which the old harmony expressed itself. Within three years of its birth the British threw their weight against it and played 'the great body of Conservative opinion'* against it. A so-called anti-Congress party was brought into existence by the Anglo-Indian party, and Sir Sayyid Ahmed was mobilised to speak against the Muslim leadership of the Congress which then was represented by Tayabji and Sayani†

As early as the eighties, clear-headed British thinkers could find in the communal divisions of the country an advantage for perpetuating their domination of the country. Long before the policy of the protection of minorities became fashionable with the Britishers, Seely said the truth plainly that the 'existence side by side of these hostile creeds is one of the strong points in our political position in India'

Religious neutrality which the British insisted on upholding was not a selfless principle. In the name of impartiality it enabled the British to maintain

* Blunt, *India Under Ripon in 1909*, 229

† Hume, quoted by Sir Auckland Colvin in *Audi Alteram Partem*.

every religious barrier intact, uphold each community's 'right' against the other, and thwart the adjustment of religious differences. As a result of this policy, existing divisions were accentuated, and the natural process of unification was retarded by the fact that every rival creed and sect was encouraged to advance its special claims.

In 1880 Chiplunkar with his lieutenant Tilak, later Lokamanya, brought into existence a movement inspired by the pre-British tradition, which was intensely national in spirit and sought for strength among the masses. In 1897 Tilak, the first of political martyrs of modern India, was convicted of 'sedition'

'of charges of which not one of his fellow countrymen believed him to be guilty'.^{*} This word 'sedition' was a word of comprehensive import which covered the smallest desire for national freedom and the cheapest sneer against a White officer.

From 1885 to 1905 the British Governors-General spurned every appeal of the Congress and tried to crush the national movement. In 1904 Lord Curzon, determined to keep India as the 'jewel' of the British Empire, started not only repression but administrative reforms calculated to destroy the political life of the country. Bengal, united by ties of history, language and culture was vivisected by him, ostensibly to favour the Muslims but really to "enfeeble the growing power and to destroy the political tendencies of a patriotic spirit".[†] Muslims were made a tool for imperial ends in order to "check the growing strength of the Hindu community,"[‡] only to be let down later when

* L. Ghose, *Presidential Address*, 1903

† Sir Henry Cotton, *India in Transition*

‡ *The Statesman*, Calcutta

the partition was annulled as a result of subsequent change in policy

The militant national consciousness which the Partition of Bengal had generated was also intensified by Japan's victory over Russia in which the Indian people saw the symbol of Asia's emancipation from the thralldom of Europe. Political changes known as Minto-Morley Reforms were brought in as a sop to the moderates. Legislative Councils established under it, were not intended to bring in parliamentary government as Viceroy Minto himself hastened to emphasise. Though they were merely consultatives, special care was taken to see that class was set against class, community against community, each to cancel out the effect of the other. Zamindars and commercial classes were given disproportionate representation at the expense of the politically minded classes, "substituting those who cannot criticise for those who can,"* even going to the extent of creating special interests before such interests were organised or articulate†. Morely, the Secretary of State, himself a radical in Britain, proved worse than a Tory so far as India was concerned.

Again, for counterpoising the Muslim community against the Hindu, Viceroy Lord Minto stage-managed a Muslim deputation under the leadership of H H The Aga Khan and "first started the Muslim hare" as Morley admitted. The deputation was assured that Government was convinced that personal enfranchisement, as distinguished from communal, would be a "mischievous failure". The rising democracy having

* *The Statesman*, Calcutta

† A Mehta and A Patwardhan, *Communal Triangle* p 65

been back-stabbed, Minto promised separate electorates to the Muslims, in the proposed reforms. A religious minority, at the behest of the British authorities, was accorded a political existence as a make-weight against the growing nationalism in the country, while the Councils, established under the Minto-Morley Reforms, of course remained "gilded shams" with "magnified non-entities whose constituency was the Government House"

The Muslim community was considered the "favourite wife," to use, the words of a Lt-Governor of Asam Mr Ramsay MacDonald, before he became Premier, confessed "The Mohammedan leaders are inspired by certain Anglo-Indian officials and these officials have pulled wires at Simla and in London and of malice aforethought sowed discord between the Hindu and Mohammedan communities by showing the Muslims special favours"; Lord Oliver, the Secretary of State, attested that 'the predominant bias in British officialdom in India in favour of the Muslims was largely a makeweight against Hindu Nationalism'

Thus, by 1906, the educated Hindus, Muslims and Parsis in the Congress had formed a national focus. The Partition movement had shown their effective solidarity. Their potentiality as the nucleus of an India as 'an indivisible and impenetrable monad' was great. Had they been allowed to gather strength, the nationalists would have co-operated with Britain to evolve by slow stages a dominion government. But the Britishers played power politics. By giving sepa-

* Sir C Y Chintamani

† *Awakening of India*, 176

rate electorates to the Muslims, which the Nationalist Muslims, did not want, they achieved several results

First, they segregated a part of the people into a separate entity, imposing a barrier to healthy national evolution

Secondly, by making communal and religious exclusiveness the basis of division, they brought up centrifugal passions from the lower strata of Muslim life to the surface, and effectively disturbed the harmony of national outlook which prevailed among the progressive national-minded leaders of all communities

Thirdly, they reduced the advanced Nationalist Muslims to the position of individuals unrepresentative of Muslim opinion.

Fourthly, by mobilising communal passions among the Muslims, they gave scope, by way of antithesis to similar passions among Hindus coming to the surface

Thus was India pushed by British power-politics down into the valley of communal antagonism

VII

HOW BRITAIN DENIED FREEDOM

(1909-1937)

In his admiration of the British generosity towards India, Professor Coupland has forgotten the war which Britain carried on from 1909 to 1936 against Indian aspirations towards freedom. No sooner the Minto-Morley Reforms were given in 1909, Britain, in the name of sedition, inaugurated a campaign of sup-

pressing all thought and expression which savoured of freedom.

In spite of all the dissatisfaction prevailing in the country, however, the war of 1914 saw India on the side of Britain. The extent of India's contribution to it was out of all proportion to what one could expect from such a poor and discontented country. About 1,400,000 Indian troops were despatched to European and Middle East battle-fields, that is, 178,000 more than all the troops contributed by the combined Dominions of Canada, South Africa, Australia and New Zealand. Britain, who had borne practically no share of the cost of the frequent military expeditions, forced upon India by considerations of imperial interests hitherto, was now helped by India to an extent unimaginable.

India's contribution during that war in military expenditure alone amounted to Rs 625 crores, while the total money contribution, which included also the increase in civil and political charges, amounted to Rs 87½ crores. In addition the war cost the country a fresh contribution of Rs 70 crores decided upon at the end of the war and an annual burden by way of interest alone of Rs 10 crores. This leaves out of account the large contributions to Britain's heavy financial outlays, and investments in British securities which necessarily involved starvation of Indian industries and restriction of Indian trade.† All this contribution was from a country whose annual per capita income is estimated at about Rs 65. The late

* Dr K Shridharani in *War Without Violence*

† Prof K T Shah in *60 Years of Indian Finance*

Lord Hardinge, ex-Viceroy, rightly said that India was "bled white"

The Indian Princes, too may be, in return for favours rendered or anticipated rallied round the Government. Some of them served personally on the staff while all of them "lavished the blood and treasure of their subjects"* to be rewarded later on by titles and honours, by robes and swords of honour, guns, revolvers, complimentary *sanads* inscribed with the name and services of the recipient, by cash rewards, and grants of government land †

This ungrudging co-operation with and support of the war effort was rendered possible mainly because India, even the politically conscious section of it believed in the righteousness of British cause in the War. The Congress in 1915 at Bombay "recorded (its) abiding sense in the righteousness of the cause espoused by Great Britain and her allies" ‡. The faith in British justice that was always foremost in the minds of Indian leaders for the moment displaced the suspicion that had been roused by recent actions. India actively took part in the war, its leaders felt it was India's duty and interest to do so. Mahatma Gandhi himself, who had recently returned from South Africa, with his faith in the British yet unshaken went about recruiting men for the Army.

Mr Lloyd George, the then Premier of Britain, gave public recognition to India's important contribution to the war when he said "As to India, by her remarkable contribution to our triumph, notably in

* Al Carthill in *Last Dominion*

† Sir Michael O'Dwyer, *India as I Knew It*.

‡ *History of the Congress* Dr P Sitaramayya, 207

the East, she had won a new claim so irresistible that it ought to overpower and must overpower all the prejudice and timidity which might stand in the way of her progress ”*

The reward, however, came in the “legislative and administrative repression, deprivation of freedom of speech, freedom of the person, confiscation of property, suppression of newspapers, execution, flogging . . which was Prussianism in excelsis;”† in the same Mr. Lloyd George’s refusal in 1920 to redeem the pledge he had given in 1918 January for favourable treatment of Turkey in order to placate Indian Muslim sentiment; in the massacre of Innocents at Jallianwalabagh; in the “crawling order,” and in the insult added to injury when the “heroes” like General Dyer who maintained White prestige at the cost of Indian ladies at Jallianwallabagh were publicly honoured in England

In 1917, compelled by the necessity of placating the democratic spirit of the United States of America, whose armies Britain wanted badly on the battlefields of Europe, Mr Edwin Montagu, after Ripon India’s best British friend then Secretary of State for India declared Britain’s policy to be “the progressive realization of responsible government in India as an integral part of the British Empire” But when the policy was translated into the Montagu-Chelmsford Reforms in 1919, Britain could give India nothing more than a shadow of responsibility. The Reforms, in essence, were such that Mrs. Besant, the great English woman who then led the Indian Home Rule

* *History of the Congress* Dr P Sitaramayya, 301.

† Sir Valentine Chirol

Movement, referred to them as "unworthy of England to offer and of India to accept" But this was not enough Britain went ahead with measures suppressing even the existing liberties, with "promiscuous floggings and whippings, indiscriminate arrests and confiscations, the so-called 'fancy punishments,' designed not so much to punish individual 'rebels' as to terrorise and humiliate"*

Political frustration led to seething discontent in India against British rule. Belief in British fairplay disappeared. Gandhiji's description of the Government as "Satanic" found echo in all hearts. It was in those dark days that he assumed the leadership of the country. He inaugurated a mass movement of non-violent non-co-operation which gave a militant edge to Nationalism By virtue of his hold over the masses, however, he could round off the mass upheaval, which otherwise would have led to unprecedented outburst of violence.

The Montagu-Chelmsford Reforms came into force in 1919 They involved no real transfer of political power Indians were asked to play the rulers' game, the actual work of ruling was left in the safe hands of the British officials who were in charge of the Reserved Departments as against the Transferred Departments given to Indians Exposing, perhaps quite unintentionally in a moment of agony, the hollowness of this 'transfer' of a few departments to Indians, the late Sir K. V. Reddy, one of the Indian ministers under the Montagu-Chelmsford Reforms not a Congress politician by any means frankly confessed "I am minister of Development minus forest;

* Quoted in *Communal Tringle*, 70.

minister of industries without electricity, which is a reserved subject; minister of agriculture without irrigation"* Late Sir C. Y. Chintamani, the veteran Liberal statesman, said: "Diarchy succeeded only so long as it was ignored in practice."

In 1921 and 1922, after having conceded this insignificant measure of constitutional progress, the British authorities again started a fresh campaign of persecution. Gandhiji was arrested and sentenced to six years' imprisonment. All popular movements were suppressed.

In 1926, when the Swarajist Party in the Central Legislative Assembly led by Pandit Motilal Nehru got passed a resolution proposing a Round Table Conference to revise India's constitution, the Viceroy turned down the recommendation. But the British authorities did it five years after, though only as a make-believe. The Simon Commission was announced, consisting only of "God's own Englishmen" for examining India's fitness for further instalments of constitutional progress. The insult implied in the Commission's scope and composition was so well understood by the whole Nation that when it came it saw only black flags and 'Simon Go Back' wherever it went. Only some unrepresentative persons mostly reactionaries could be got to co-operate with it. When the Commission made its report there was no mention whatever in it of Dominion Status for India. It naturally decided against Indian fitness for any share of real responsibility in the government of their country. It could only think of granting some con-

* *Indian Constitutional History.*

cessions to satisfy the 'legitimate' aspirations of the reactionaries who co-operated with them.

With the formation of the second Labour Government in Britain, Lord Irwin (now Lord Halifax) the Viceroy amplified Montagu's 1917 Announcement into a presentable formula. The report of the Simon Commission was hastily shelved in Britain; in India 'it found its place on the scrap heap,' as Sir P. S. Sivaswamy Aiyer, the great Liberal leader, once remarked. In 1928 the All-Parties' Conference formulated a scheme of self-government known as The Nehru Report. But that scheme was rejected off hand by Britain. At the end of 1928, the Congress gave to British government one year's time to accept it, and when that term expired at the end of 1929 the Congress accepted 'Complete Independence' as its goal.

This goal of Independence has been criticised by British spokesmen as an impossible slogan, though Gandhiji once defined it as meaning the 'substance of independence'. But even after twelve years of Montagu's declaration, not even responsible government in the Provinces had been offered.

In the beginning of 1930, the Nation was seething with discontent when Gandhiji harnessed it to the Civil Disobedience movement. Repression, as usual, was started by the British authorities in India. But the international fortunes of England were running low and she wanted to tide over the difficulties in India. Early in 1931, Mahatma Gandhi and other Congress leaders were released and the British government signed with Gandhiji the Gandhi-Irwin Pact. On the basis of the declaration made by the British Premier, Mr Ramsay MacDonald, regarding

the scope of the Round Table Conference, the Congress was invited to attend the Second Round Table Conference. When Gandhiji, as the sole representative of the Nation, attended the Round Table Conference in London, a whole array of princes, communalists and representatives of interests created or supported for imperialistic purposes stood against him clamouring for their own order or class. By the end of 1931 the Conference ended; Gandhiji returned empty handed, and the Gandhi-Irwin truce was torn up by the British. The mailed fist was again brought into play. The so-called 'dual policy' was put into force by the British authorities in India. Its object was to crush the Congress and to give India such reforms as Britain thought fit in her own interest.

With nationalism locked up behind prison bars, Britain gave another heavy blow to Indian nationalism in the shape of Premier MacDonald's Communal Award which later came to be known, and more aptly, as the 'Communal Reward.' Separate electorates had led to the effective political segregation of the Muslim community, and thrown up leaders whose outlook was more communal than national. To gain political advantages for their community at the cost of Nationalism was their confessed aim. Mr. Jinnah, who till then was a nationalist leader associated with the Congress, put himself at their head.

Encouraged by British statesmen, the Muslims put forward demands which had the effect of converting the Muslims a religious minority up to 1909 and a political minority since then into a separate constituent unit of the Indian people. They demanded a majority in certain provinces by either creating new

boundaries or reserving statutory majority for themselves as a counterpoise to the provinces with a Hindu majority Mr. Jinnah had asked for these conditions on a promise of agreeing to joint electorates with reserved seats for Hindus and Muslims. Joint electorates at least have had the advantage of eliminating the political bitterness which was growing on account of the separate electorates. But the British Premier went on better. He, in his award, conceded the demands of the Muslims but declined to give the quid pro-quo to nationalist India in the shape of joint electorates. The Muslim community was suddenly converted into a separate, distinct element of the body politic. The germ of civil war was thus laid by the British Premier, so that when the time came it could be exploited for the benefit of British imperialism.

The three Round Table Conferences brought forth the Act of 1935. Passed through Parliament when nationalism was being hunted down in India, it reflected the least common measure of agreement among three interests. First, British imperialism; secondly, the Indian Princes who, as against the people of British India, were discovered to possess sovereign rights which they did not and could not claim against Britain; and thirdly, hand-picked 'representatives' from British India who were left after Gandhiji left London and was arrested. Out of the last group the very few liberal politicians, led by Sir Tej Bahadur Sapru, who had associated themselves with the last stage of the Conference, disclaimed sympathy with the new proposals.

The new Constitution Act granted provincial autonomy hedged in with a multiplicity of safeguards

and special powers which Sir Samuel Hoare, then Secretary of State, described as just 'sign posts' but which, in substance were impediments to democratic advance scattered over every vantage point. A constitutional authority of the weight and eminence, of Sir Arthur B. Keith said. "With the safeguarding of minorities the essence of responsible government is seriously if not fatally compromised. If the governors of the provinces were seriously to act on their special responsibilities it is certain that responsible government would never emerge"*

If the provincial part of the Act was a farce, the Federal part was little short of a fraud. "It was a device," says Sir A. B. Keith, "that was favoured by the British in order to provide an element of pure conservatism in order to combat any dangerous elements of democracy contributed by British India." Deprived of control over external affairs and defence, the alleged concession of responsibility was "all but meaningless." The Viceroy was the Grand Moghul, armed with discretionary powers and backed by the "loyal" elements of British India and the Indian Princes.

On the other hand the British expected (1) that the constitution would be an effective bulwark against any attempt to secure transfer of power to Indian hands, and (2) that the legislatures will never achieve a team spirit which would disturb the Viceroy and the Governors in the enjoyment of unfettered discretionary powers.

This much abused and often rightly abused Act had, however, three merits.

* *Indian Constitutional History.*

First, it was based on the conception of Indian unity.

Secondly, it brought in the Indian Princes into a federation with the democratic provinces

Thirdly, in British India the franchise was sufficiently broadbased to foster a spirit of democracy.

VIII

HOW GANDHIJI'S WAR AID WAS SPURNED (1937-39)

Prof Coupland's assumption that at one time the British were willing to part with power in the Centre is again belied by the facts which happened between 1937-39

In 1937 the Congress had captured 711 seats out of a total of 1585, in all the provincial lower houses, had an overwhelming majority in five provinces, and a working majority in three. The Muslim League had 108 seats out of 485 reserved Muslim seats and a majority in no province. For the first time in the British period an all-India constitution had an All-India steel frame of elected national delegates

The British were non-plussed. The Congress itself was surprised at its strength. By temperament and technique it had been a fighting machine. Having hitched its waggon to the star of Independence, it had spurned the lowly act of wielding administrative power to gather greater power. Its cementing force was based on the psychology created by a will to national freedom, its strength, on its loyalty to Gandhiji and his indispensability.

As a mass organisation it was only concerned with mass action, its members on the whole were simply unaware of the vast potentiality that lay hidden in the Constitution Act of 1935. To them it was a 'fraudulent device' of the British, and so was 'untouchable'. The British, on the other hand, were confident of the Constitution being freedom-proof, and were prepared to rope in the Congress in the hope of diverting its revolutionary energy into constitutional channels. The experiment had succeeded in other parts of the Empire, and it was, they thought, bound to succeed in India.

A choice lay before the Congress either to reject office and get the constitution suspended straight-away, or take office, generate power, and step into the Federation as its most powerful element. Leading Congressmen naturally fell into two sections. Gandhiji thereupon as usual evolved a formula which allowed every section to feel that its objective would be achieved. Offices must be accepted in the provinces, with a view to break the Constitution. The British, however, held that once the Congress tasted the reality of power will forsake the revolutionary path and help to build a contented and federated India within the British Commonwealth.

In spite of his later policies, which brought him into discredit, the credit for the new policy must go to Lord Linlithgow and his Governors, notably the Governors of Bombay and Madras. They entered into a gentleman's agreement not to exercise their discretionary powers under the Act. They allowed a free hand to the ministries within the ambit of provincial power. They helped; they rarely hindered.

But soon the conflict of objectives between the Congress and the British led to a rift between them. To the bulk of Congressmen provincial power was an instrument for some day breaking the Centre. To the British statesmen, it was a step by which the Congress could come in to work the federal part of the Constitution. Among Congressmen those who believed that the provincial power under the constitution if properly utilised could lead India to the control of the federal part and as a next step to 'substance of independence,' were a mere handful

A diagnosis of the present situation is not possible without an appraisal of the situation in 1939

1 Lord Linlithgow was very anxious that the Congress should help to bring in the Federal part of the Act. He warned us that if it was not allowed to come India would be disrupted in the name of Pakistan

2 He was equally keen on bringing up the administration in the States to a fair standard of efficiency and responsibility in spite of the opposition of his Political Department.

3 He was convinced that now that the Congress had come in to work the Constitution, Britain and the Congress would continue to remain friends sufficiently long to usher in a new era. To use his own words

"Section 93 is a nightmare. You cannot get away from me, and I cannot get away from you. The circumstances daily arising in India and the world render that impossible"*

* Quoted from my notes of a conversation early in 1939.

The Right wing of the Congress High Command to use a convenient phrase without implying any suggestion of merit or demerit was fully aware of the power it had acquired under the Constitution. It wanted to use this power, as fast as it could be, for securing India's freedom by the combined pressure of public opinion from without and of ministries from within.

The Left wing was distinctly unhappy. In the close co-operation of the ministries with the Provincial Governors it saw a truck with British Imperialism, and a weakening of the Congress resolve to break the Constitution. The advantage of securing a foothold in an All-India Centre had no appeal for it.

Two facts, however, remained unappreciated by those who directed the vast machinery which governed three-fourths of India.

First, the unity of any country, much more so of India with its chequered past, must be sustained by a central political structure which disciplined the diverse centrifugal elements by steady governmental pressure.

Secondly, the slogan that Hindu-Muslim disunity was the creation of British Imperialism blurred a clear perception of the fact that Hindu-Muslim antagonism had its historical roots, that they can only be removed by the habit of settling differences by persuasion; and that such a habit cannot be acquired by masses except by the coercive influences of a government.

Born as a popular movement, rendered effective by the mass resistance taught by Gandhiji, Nationalism in India was apt to forget the necessity of wield-

ing limited power before it can gather irresistible national strength.

On the other hand, the British statesmen forgot the fact that their alliance with Nationalism must, in order to be cemented, lead to an early transfer of some power at the Centre. They were on the contrary determined not to part with power at the Centre, and were restive at the Congress attempts to force the pace.

The inherent weakness of the situation lay in the Nationalists' impatience for a share at the Centre and the British determination not to give it. Both parties for the moment, however, were of the view that if the Constitution continued to be worked, Hindu-Muslim antagonism would be adjusted by being made to flow into channels of mutual adjustment.

The war suddenly came in September 1939, and a crisis was precipitated. Britain did not want to break with the Congress if the Centre was safe. The Congress could not stay in office unless a share at the Centre was given. Conflict of objectives at once came to a head. Once Emergency was declared under the Government of India Act, and the Defence of India Ordinance, later the Act, came into force, the popular provincial governments became mere blind agents for carrying out the policies and programme of an irresponsible Centre. An elected Home Minister, in matters of Law and Order, for instance, would be a nobody when his subordinate Police Commissioner as an agent of the Centre acted under the D I Act. Unless, therefore, a share at the Centre was obtained, the Congress would become in the people's eye only a foreign agent.

At the instance of highly placed authorities terms were secured from Gandhiji in September 1939. It was a splendid offer of friendship and readiness to co-operate in the war effort. I publish it now to vindicate the position which Gandhiji took at the beginning of the war.

Gandhiji sent the message.

1. I know that my views in regard to unconditional co-operation are not shared by the country. The resolution of the Working Committee reflects the Congress opinion properly.
2. Since the Congress is unable, owing to past experiences, to give unconditional co-operation, it can only co-operate if it is able to convince the country that it has in substance achieved its purpose and that therefore there is a complete understanding about it between the British Government and the Congress.
3. If there is a real understanding between the British Government and the Congress it follows that there must be corresponding action even during the war. Thus Ministries must not be mere registering agencies of the measures coming from the Centre. Hence there must be some method at the Centre for having a Congress representation sufficient to give it a majority.
4. The only constitutional way in which the Ministries can declare their position is to

obtain the necessary authority of their respective legislatures by getting them to adopt this resolution, unless in the meantime they can convince their legislatures that circumstances in terms of 2 and 3 have come into existence which renders such resolution unnecessary.

- 5 If the British Government are serious in their professions that they are fighting for democracy, they cannot marshal the moral opinion of the world in their favour except by declaring that India will be a free and democratic country at the end of the war and that in the meantime it has taken steps to implement the assurance so far as it is practicable under martial conditions
- 6 If for some reason the British Government takes a different view the Ministries will find it impossible to function.
- 7 The resolution may be kept back for a week if the members of the War Sub-Committee agree. But it must be clearly understood that before the A-I C C meets, the Working Committee, which meets on the 4th, must have definite material to give the lead to the A-I C C. and the country

The offer was rejected

It would have been possible for the Congress to remain in office and associate themselves with the War. It would then have been an indispensable and extra-constitutional ally of the Centre. It would have

had the organisation of the country and its resources in its hands. Out of this position, power at the Centre would have necessarily followed. India's integrity and position, power and status would have all been secured during the War. But the rejection of Gandhiji's offer, though known to few, made it clear that the British statesmen were not prepared just then to allow Congressmen to touch the Centre, even under the existing constitution.

The crisis had made the British panicky, the Congress impatient. Indo-British distrust, the legacy of history, reared its ugly head, the time for decision was too short for overcoming it. British civilians wanted no co-operation. The bulk of Congressmen shied at co-operation. The resignations of the Congress ministries were therefore accepted.

Britain and India thus moved towards the appointed catastrophe, as in a Greek tragedy.

IX

HOW BRITAIN FRUSTRATED THE NATION AND REARED A FRAN- KENSTEIN (1939-44)

When the Congress ministries resigned in November 1939, Britain was staggered. The alliance of the Congress, which the British Government regarded as more or less of a permanent nature, was broken. Britain suddenly found the Congress hostile at the moment when the European war imposed upon her the supreme need for inter-imperial solidarity. But the Congress had alienated the Indian States by the Rajkot debacle. It had also antagonised the

Hindu Mahasabha by its appeasement of Muslims, and the Muslim League by its national character. Britain therefore naturally decided to make up with the enemies of the Nation

The Congress being pledged to an anti-imperialist policy, found in its pledges an insuperable obstacle to associating with a Government which denied India honourable partnership in the War. But the Congress was in unexpected difficulties. No politically-minded Indian had any faith left in the British promises. Gandhiji, with his uncanny power of producing formulas which could keep differing sections of his followers together, produced the new formula of non-co-operation with the war effort. Congressmen saw in it the wished for programme. The non-Gandhians found in it an anti-imperialist front, the Gandhians, the long cherished pacifist challenge to war. This non-co-operative attitude of the Congress imposed upon Congressmen the urgent need for developing some kind of mass resistance so as to escape disintegration. At the same time the life and death struggle through which Britain was passing made it impossible for her to deal with this internal menace with kid gloves.

The Congress policy fluctuated between pacifism and the desire to participate in the War on honourable terms. On July, 6, 1940 Gandhiji as the apostle of Non-violence announced that if the Congress sticks to its policies it is sure to find its way to its goal even before the war is over, provided they are purely, truly and demonstrably non-violent. But on the 28th July, the A.I.C.C. assembled at Poona declared

in favour of violent defence against external aggression or internal disorder. The demand for a share at the Centre to fight the war, was made by the Working Committee and emphatically turned down by the British Government. At the last interview which I had with Lord Linlithgow in August that year, I found that the Viceroy had lost all confidence in the Congress High Command. He felt that it was dominated by elements which were either anti-British or pacifist. He was bitter, distrustful both of the Congress and the League, of every Hindu and Muslim. He evidently had come to believe that Indians of no political or religious colour who had any following in the country, would be permitted to stand true to Britain if there was a crisis in the war situation.

It was wrong to blame Indians for this attitude. Nobody in India loved Britain, she had broken too many promises to merit confidence.

Mr. Jinnah clearly perceived the opening which had been made for him as a result of British difficulties and Congress vacillation. He insisted upon a categorical assurance from the British Government that it would not adopt any constitution without the previous approval of Muslim India and that Muslim Indian leadership should have an equal share in the authority and control of the governments, central and provincial.

In America, the British Government found itself in an unexpected situation. The reputation of Gandhi and Pandit Jawaharlal Nehru stood high with the American public. Unless it was destroyed the

isolationist opinion could not be won Britain therefore set about achieving one end, viz, not to share power at the Centre with Indians at any cost and at the same time to convince the American public that Britain was anxious to give self-government to India, were it possible

The "August Offer" was expected to achieve these ends First, the Viceregal autocracy was to be provided an Indian facade by the expansion of the Governor-General's Council.

Secondly, the refusal to transfer any responsibility to Indian hands was to be attributed to the disagreement between the Congress and the Muslim League

Lastly, agreement was to be rendered which opposed any demand for political progress, being given a veto

A promise, however, was made to allow Indians, subject to the usual paramount claims of British policies, to frame a new Constitution after the war

In effect the August Offer was a definite and absolute refusal on the part of Britain to share power at the Centre during the period of the War, and a plain hint that even after the war Britain would continue to play the usual device of giving liberty to differing elements in the country to remove their dissensions after she had successfully created and fostered them Shorn of all diplomatic verbiage, it disclosed a determination not to transfer to Indians the reality of power at the Centre either during the war or after it

India had been fed too long on promises of future freedom to be taken in by a fresh paraphrase of old policies. But it succeeded in creating in the Disruptionist an insuperable obstacle to the future political progress of the country. The political solidarity of the Nation was to be destroyed before any form of freedom could be even discussed.

Every time opinion in U.S.A. turned to Britain's refusal to Congress demands as a reason for keeping out of the War, Britain safely pointed to the disagreement between its leading politicians as a bar to her ability to keep all its pledges. Naturally Prof. Coupland also has forgotten to mention that the inability to agree in India was purely the result of British policy, which had been brought into existence to prevent transfer of power at the Centre.

Mr. Jinnah, the stern realist, saw his chance, and played up to it. The Congress, unable to leave its moorings, had no other option but to keep up its morale by a symbolic individual civil disobedience, which was started in December 1940.

Having chosen its war policy towards India, Britain pursued it with ruthless directness. All the Congress Provinces were governed by the British bureaucracy under Section 93 of the Constitution Act. The Non-Congress Provinces were governed by ministries which but thinly veiled the autocracy of the British Governor. Mr. Jinnah rode on the crest of the British policy. The individual civil disobedience was described by him "as an attempt to take advantage of the war to force the Congress programme on the British Government." This attitude has now become a settled frame of mind with the President of

the Muslim League, every attempt at securing a National Government has since been an open affront to him and the community he claims to represent. The Lahore Resolution was made into a creed. Sir Sikandar Hyat Khan, the loyal ally of the Government, opposed Pakistan in the Punjab and supported partition out of it. He declined to part company with Mr Jinnah, for it did not suit the British Government to deprive the Muslim League of his support. Wisely Mr Jinnah played up to the British policy by not carrying his non-co-operation with the war effort beyond words and gestures.

Just as Hitler was supported by Britain at first in order to deprive France of European hegemony and Russia of its possible international ambitions, the British Government strengthened Mr. Jinnah to block India's path to a National Government during the War. But in one case, so in the other, the creature of the policy proved to be a Frankenstein. The Premiers of the Punjab, Bengal and Sind and Begum Shah Nawaz were either made to resign or expelled from the League for having joined the Defence Council. Mr Jinnah was thereby giving a foretaste of his power to the Government, but they wanted him badly and, therefore, suffered him cheerfully. The Prime Ministers, greater friends of Government than of Mr Jinnah, remained nominally loyal to the League. The League, the British policy required, was not to be weakened.

In the meantime, to use the words of Gandhiji, "Mr. Amery insulted Indian intelligence by reiterating *ad nauseam* that Indian political parties have but to agree among themselves and Great Britain would

register the will of the United India" Every public man in India knew Mr Amery's attitude, and as a critic picturesquely stated, every time he opened his mouth there was a Dunkirk in the pro-war opinion in India In the meantime the Hindu Mahasabha followed the policy of supporting the British Government and bitterly fighting the Congress on the one hand and the League on the other. But a policy which supported the British in their device to frustrate the destiny of India failed to secure the support of the Hindu masses in the country In the meantime, by adroit manoeuvres, Pakistan, undefined and unqualified, was made the one demand without which the Muslim League would not lift its veto on political progress

Then came the fall of Singapore The shadow of Japanese invasion fell athwart the land Those of us who were for burying all controversies and forming a National Government to resist Japan felt a flutter of hope when Mr Churchill announced that Sir Stafford Cripps would come to India to put through a "just and final" solution It is futile to apportion blame for the failure of the Cripps Mission as Prof Coupland has tried to do The war had broken up old political moorings, and few could take a view detached from their old habits of mind And the old historic distrust between India and Britain was there to do its work

The following comparative table would show the relative position of the Cripps Proposals

The Objective After the War

A. August Offer of 1940

A New Constitution framed by Indians subject

to Britain's obligations relating to (1) Defence, (2) Minority rights, (3) Treaties with States, (4) Secretary of State's services.

This is practically an offer to allow Indians to modify the Act of 1935 Mr Amery in his speech, however, used the word Dominion Status as vaguely indicating the ultimate goal

B. Cripps Offer

A new Indian Union with full Dominion Status after the War with power to secede in order to achieve the earliest possible realisation of self-government subject to a treaty to cover all matters arising out of the complete transfer, particularly racial and religious minorities.

C. Gandhiji's Offer, 1939

A Constitution which will make India a free and democratic country.

D. Gandhiji's Offer, 1944

Independence

The Constitution-making Machinery

A. August Offer, 1940

Representative Indian Body, primarily it being the responsibility of Indians to frame the new Constitution

B. Cripps Offer, 1942

Constituent Assembly elected by the lower houses of the Provincial Legislatures and representatives of Indian States on a popular basis

C. & D.: Gandhiji's both offers are not explicit as regards the Constitution-making machinery, but a constituent assembly may be assumed

The Cripps Offer was the one serious attempt of Britain to reverse its policy. The price which Britain wanted was association with the existing Government in its war effort more or less on the lines of Gandhiji's offer of 1939.

Cripps' failure was a major calamity in modern Indian History.

Britain soon recovered from its momentary lapse into fair dealing towards India. As a matter of practical politics, also, once the Cripps Offer was turned down, the question of national government fell to the ground. The British had to carry on the fight without or against popular support and they succeeded beyond expectations.

They expected an early collapse on the Indian frontier, they succeeded in stemming the tide of the Japanese aggression in the East. They were afraid of general lack of support in India, but in a starving country of millions it was not found so difficult to secure men to do profitable war jobs. A very large section of the country came to help in the war effort directly or indirectly.

The octopus of the Defence of India Act gave the British autocracy a 'tremendous power, which it fully exploited for suppressing national activities in the name of War. During the "Quit India Movement," Mr Jinnah actively, though indirectly, lent support to the British Government, and the power of the League came to be consolidated in non-Congress pro-

vinces. Sir Nazim-ud-din, in the name of the League, but more with the help of the British Governor, formed a ministry in Bengal. If any attempt was made to impose a federal constitution, 'Moslem India,' stated a Resolution of the League Session at Delhi in April 1943, 'with all its might' would resist it, a strife, bloodstained and misery' would result, the responsibility for which would 'rest on the British Government alone'. Lord Linlithgow in his furious dislike of the Quit India Movement backed up the Muslim League ministries at all cost. Even at the time of the Bengal Famine scandal, the Bengal Ministry had his whole-hearted support. Thus ended the second stage of British policy when Pakistan was created into an insuperable barrier against national aspirations.

During the last months of Lord Linlithgow's regime, however, the British Government got ready to give fight to the Frankenstein that they had raised. The Quit India movement was crushed. The war activities were going on smoothly, the war was being won. And in one of his last speeches the Viceroy emphasized the 'geographical unity' of India. This was followed up more actively by Lord Wavell. By reason of his drive the Bengal Ministry was made to have a keener appreciation of its duty to the starving public. In his first speech to the Assembly he also put before the country the ideal of coalition ministries like that of the Punjab. The British solution which ruled out all ministries which drew their strength purely from party support and which, in consequence, were independent of the British Governor. Prof.

Coupland in his book also dealt with the case against Pakistan effectively.

Mr Jinnah saw the challenge which all these acts and utterances implied, and accepted it. He selected the Punjab as the field for his trial of strength. It was the busiest centre of war effort. The Unionist Ministry was the prize boy of the new Viceroy. It had a new Premier who lacked experience. The President of the Muslim League, therefore, decided to bring the Minister under his control instead of allowing his nominal suzerainty to continue. It was a most artfully laid campaign. But he miscalculated the depths to which the roots of the Unionist Ministry had gone in the Province, nor did he assess the lack of pro-Pakistan feeling among the Muslims and the strength of anti-Pakistan feeling among the non-Muslims. The urban and rural Hindus, who had been divided so far, came together. The Sikhs, pro-League and anti-League, combined. The Hindus and the Sikhs in spite of certain differences allied themselves against the blitzkrieg. Premier Khizr's hold over a large majority of Muslim members of the Legislative Assembly remained unchallenged. The Governor was equally firm. All interests except a few Muslim League members joined hands. It was clearly a round between the British Government and the Frankenstein which they had raised, and the British came out successful.

British Imperial policy had worked out the policy of frustrating the national aspirations till the barrier erected by them became a danger in itself.

X

INDIAN SITUATION AS IN MAY, 1945

1. British Imperial Policy

The different forces operating upon the Indian situation at present may now be considered. Of them the powerful are

- (a) British policies,
- (b) International exigencies,
- (c) Indian Nationalism, and
- (d) Disruptionism

No doubt there are minor forces like the Indian States, the Hindu Mahasabha, the Scheduled Castes and the British trade and other interests. But by reason of their inherent weakness or studied policy they are pawns of the British imperial policy and will exercise very little independent influence on the solution of the Indian problem.

Of the British policy the two main factors are (i) the party position in England and (ii) British self-interest. It is stated over and over again by British friends that the heart of the British public is sound. Even if there is such a heart, it is known to play very little effective part in the actual policies which guide British rule in India. The British public, no doubt, has generally a broad sympathy for the underdogs of the world, particularly when their own interests are not much at stake. But once the public is in the grip of the party machines and have elected their accredited representatives, the latter rarely take a liberal

view unless it is dictated by self-interest. This self-interest, however, is guided by the British tradition of not forfeiting the sympathies of those whom they govern or of other powerful nations of the world.

The old myth that a change of ministers or a shift of power among the parties in the Parliament can bring about a change in the essentials of imperial policy stands long since exploded. It may be that a Churchill may provide a reactionary urge or a Ramsay MacDonald, a liberal one. But in the end the results are not likely to be very different. The policies will be guided by the possessive sense which characterises the subconscious political mind in Britain. In this view, therefore, whether Mr Churchill remains the Prime Minister after the war or not, cannot make much difference except that the reactionary attitude of such an aggressive leader towards India may create greater difficulties. The deciding factor would really be the large number of younger Conservatives who now dominate the Parliament and who have a wider vision than those who have been brought up in the die-hard Tory tradition of the last generation. This younger Conservative mind in England is genuinely perturbed over India. But it cannot think in terms of India being allowed the power or the opportunity to drift out of the ambit of the British Empire.

It appears an impossibility that a man like Sir Stafford Cripps, with his great sympathy for India but without any party behind him, can influence this policy. He dominated in 1942 only by reason of his

great success in Russia; it is doubtful whether he will be able to do it again.

The British policy, therefore, of the future will take into account primarily the interest which Britain has in India. This country is a vast reservoir of economic strength for Britain. The sterling balances will provide an easy means for buying raw materials from India cheap and selling her manufactured articles at an artificially inflated price. It is equally likely that the British Industry would like to exploit the Indian market by starting manufacturing centres in India. For the financial recovery of Britain, in the post-war world, India is a great asset, every effort, therefore, will be made to keep India safe for British business interests.

This very self-interest will dictate, however, the wisdom of raising the standard of living in India and to convert discharged servicemen into willing supporters of British rule. Britain is also not likely to ignore the vast achievement of Indians in the field of industry and commerce. However much the British businessmen would like to wipe out their Indian brethren, they realise that it is difficult to do so without producing disastrous results. They can't sell the goods to a buyer who hates them. Self-interest would incline them to enter into alliance with Indian industry and commerce.

There is no doubt the bureaucratic solution of having a large army of state officials, big and small, who in the name of education, agricultural development or regulating essential service will be expected to provide the net-work of governmental influence. Most of the elaborate and costly plans in education,

agriculture, etc which are now before the country are intended to supply present propaganda

If the British statesmen who rule the country at present can help it, they will by means of such schemes convert British rule in India into a benevolent trusteeship which would feed and clothe and educate the Indians just sufficient to provide soldiers for the British army, raw materials for the British factory and market for British goods and just enough of loyal supporters to create the impression outside that the British Empire is the last word in human progress. Sane British statesmanship, however, will not accept it as the only, or, for the matter of that, the principal solution

So far as Britain itself is concerned, what will stand in the way of this imperial policy is the pledge contained in the Cripps Offer of giving India the status of a Dominion and a constitution framed by her own people. As with the August announcement of 1915, many and devious will be the ways in which the promise would be sought to be broken or whittled down. But the British public will scarcely put up with an attempt to revert to anything like the pre-war control of India. British tradition has produced something resembling a political conscience. It always prevents a British statesman, however reactionary, from breaking its pledge in a manner which he cannot defend

XI

DISRUPTIONISM AS DETERMINING FACTOR IN THE INDIAN SITUATION

By Disruptionism I mean not only the Pakistan movement but every urge in the country which is

destructive of national integrity and obstructs adjustment of interests within an All-India frame-work In this factor the most important element is the Hindu-Muslim mal-adjustment

(1)

In the pre-British period, there was an equilibrium between the aggressive tendencies of Islam and the protective vigour of Hinduism in all parts of the country. Without inter-dining or inter-marriage there was a close association in different walks of life based on a tacit non-aggression pact reared on centuries of adjustment

When the British rule and Western education came to India, the highly educated Hindus and Muslims found a fresh sense of unity in the English language and thought, in absorbing English ways, and in leavening their adjustment with mid-Victorian nationalism which related their political aspirations to India as motherland

At the same time, impact with the West produced several factors which disturbed the existing harmony between the two communities

The Hindu, who received the benefit of modern education, became comparatively secularized in his outlook and found in Nationalism a new group sentiment to replace the old synthesis of social orders, *Varnashramadharma* Religious bigotry continued its hold over the Muslims and prevented the secularization of the group sentiments In consequence, a difference in outlook and in their respective positions in a new scheme of things, sprang up between the two communities Political leaders became anxious

not to lose the numerical strength of their followers. The stage was thus set for the revival of religious aggression which had disappeared

The other and more disturbing factor was University education

The Hindus developed language and literature and cultural associations with the aid of Hindu history and Sanskritic beauty. The Muslim university students in the north, for there were very few in other parts of India, naturally turned to Muslim heroes who had devastated India and to Persian and Arabic for their inspiration. Thus the most essential bond, of language, literature and historic association, came to be relaxed. As education advanced among the Muslims, the common forms of life were forgotten and Islamic culture and loyalty to Islam, as detached from India, came to be stressed. The Hindus and Muslims who had pursued their social and religious ways side by side for centuries, suddenly began to find themselves in two different cultural hemispheres

But right till the Partition of Bengal, the educated Hindus and Muslims were agreed in secularizing their group sentiment and pursuing the path of nationalism related to India as the Motherland. Had this progress been left undisturbed by the British, the harmony of national aspirations at the top would have slowly percolated to the lower strata of society. But the British presented separate electorates to the Muslims, the community was segregated, religious passion was made the measure of politics, and broad-minded nationalist Muslims were suddenly made unrepresentative of their own community. The new

leaders thrown up by this disruptive design, encouraged religious aggression, developed a technique of making every grievance, real or imaginary, a lever to rouse the defensive instincts of the community against the Hindus

(2)

When the Congress broke with the British in 1939, Disruption which was no more than a bare idea was exploited by the British to create an obstacle, which now has assumed a sinister shape

Mr Jinnah has in his letters to Gandhiji given us an idea of what its latest phase means

First, the Muslims of India are a separate Nation, and the Nation has an inherent right of self-determination.

Secondly, Sind, Baluchistan, N W F, Punjab, Bengal and Assam as they are now, are Muslim homelands, subject to minor territorial adjustments without any regard to the crores of Hindus who are residents of these provinces and irrespective of the fact whether as in Assam they are a majority This attitude logically implies that a dozen Mussalmans in any corner of India are part of a Nation which sprawls across the whole continent, that these dozen, even if they be near Cape Comorin, have a right to determining what they should do with any part of the country even if it be predominantly Hindu, and that in determining whether any part of this country should be under Muslim control, the non-Muslim, inhabiting their territory, has no right even to be consulted

Thirdly, it makes a sweeping claim that the Muslims historically, ethnically or culturally have noth-

ing in common with the Hindus of this country.

The fact that these claims are entirely fictitious makes no difference, that every territory occupied by Hindus is as much their homeland as the Muslims inhabiting equally has no appeal, that the doctrine of religious nationalism employed with the two-nation theory is anachronistic and unrealisable does not matter.

Even the Sultans of Delhi never ventured to put forward such a claim. It is put forward not by fanatic divines but by a shrewd lawyer who is expected to know that it will be resisted. This Disruptionism, therefore, is not intended to be compromised but only as a slogan to rouse the Muslims against the Hindus so that thereby they may become a compact and aggressive party in order to dominate the country. The Britishers think that they could utilise this high explosive to their advantage. The Congress hoped to extract its teeth by reason and good sense. Both are now coming to realize that it is no mere phantom but a grim reality.

(3)

Disruptionism is for the moment the most serious impediment to the country's progress. It asks the Congress to give up its demand for independence; to forswear the demand for a federal centre and for a democratic constituent assembly, and to withdraw the August Resolution, 'which is inimical'. To Britain, threats are delivered from time to time not to do anything to offend Muslim India on pain of facing 'strife,

Mr Jinnah's letter, 23rd September, 1944

bloodshed and misery.'

This attitude has thriven on a belief that the Hindus can easily be overawed. The self-restraint which the Gandhian policy has imposed on the Congress Hindus, who form the majority of politically-minded Hindus in the country, is taken as weakness. In the Congress antagonism to British government and its policy of non-co-operation, Disruptionism finds its greatest opportunity

The national movement in India started with two fixed ideas. First, that Hindu-Muslim antagonism is the creation of British rule, Secondly, that it is possible to remove that antagonism by spontaneous efforts on the part of the two communities in order to wrest power from Britain. This attitude, though it has proved ineffective, is being believed by a large number of men of ability and discrimination in this country and is accepted by millions of Hindus as a self-evident truth

These ideas in the minds of peace-loving Hindus have led them to make offers of an ever-growing character which have whetted the appetite of Muslim communalism. So long as Muslim communalism believes, and not without reason, that it is possible to extract more favourable terms from the Hindus by either overawing them or by playing upon their desire of getting rid of foreign bondage, it will never be in a mood to come to any permanent settlement.

The Hindu-Muslim question is not a two-sided question. It is a triangle, as aptly described by Mr. Ashok Mehta. Many complications have been

created by an attempt on the part of the Hindu angle to coalesce with the Muslim angle in order to eliminate the British angle altogether. The fact cannot succeed in geometry It has not succeeded in politics.

It would be wrong to assume that all thoughtful Muslims in the country hold these views or approve of them But the nationalist Muslim leaders outside N W F have little Muslim following The other nationalist Muslims are, like Liberals, patriotic men to whom mass organization is an unknown art They cannot approach the Muslim masses through the Congress, they have no cohesion; they have no press of their own, they cannot produce a goal one-tenth as alluring to the Muslim masses as an Islamic State on the lines of the Quoran, where every Muslim is a free citizen and every non-Muslim is not. Pakistan as an anti-Hindu rallying cry and Mr Jinnah as its apostle have acquired a hold over the Muslim masses, which the Nationalist Muslims cannot displace and the Hindus cannot combat It can only disappear when Pakistan is faced with reality, either of resistance or unachievability Then only will these Muslim leaders command the respect of their community. But Britain sees to it that the reality is not presented.

This bitter truth must be faced by realists. Hindu-Muslim unity cannot be realized unless it is in the British interests The two-nation theory has, in the meantime, let loose a sinister urge which is sure to drive the wedge deeper between the two communities

(4)

It would be erroneous to believe that Disruptionism cannot be rendered comparatively innocuous.

Its mainstay is the British Government In the Punjab no sooner the British Government decided to fight, Mr. Jinnah lost his hold, at any rate, over the Muslim members of the Assembly In Sind, at a moment's notice from the Governor, Sir Ghulam Hussein can form a ministry not subject even to the nominal suzerainty of the Muslim League If Mr Casey wishes, the European members of the Bengal Assembly can in one day replace the Muslim League Ministry by a coalition ministry The front rank Leaguers are Nawabs, Government contractors and other respectables who have never stood outside the shadow of official favour and have no courage or training to do so The President of the League, therefore, cannot carry his generals into a camp opposed to the British without being left with a helpless minority And he knows it

The British, therefore, have still the whip hand over the Disruptionism which they have done so much to raise But it will be used only if the secessionist tendencies of the nationalists are checked, not otherwise So long as the British are convinced that the concession of self-government will immediately set up the cry of 'out of the Commonwealth' and give India the power to ally with Britain's international rivals against her, they will continue to use the Disruptionists as instruments of our national frustration So long, will the deadlock continue

'No truck with British Imperialism,' is a tempting battle-cry which raises the zeal to suffer and die for the Motherland, but time and again it has blocked our path to immediate progress To the Indian mind, impatient of bondage, complete independence reduc-

ed to an appealing verbal tabloid has a greater appeal than the reality of limited power. It fails to realize that in the world of today, Britain has unlimited military resources, that to drive Britain to leave the shores of India by a *coup d'etat* is a dream; that India cannot do without an international frame-work for some time and that India cannot advance unless its present institutional continuity remains unbroken during the period when the transfer of power takes place

If the Hindu mind cannot reconcile itself to complete autonomy within the Commonwealth, Britain would not destroy the Frankenstein. The Hindu-Muslim tension will grow till the life of the country is marred by a long-drawn internecine conflict. And in the end, the military power of Britain will continue to enforce law and order as in Palestine, to the prejudice of all parties including Britain herself

To summarize the Indian deadlock cannot be resolved unless Britain reverses her policy of supporting Disruptionism. Britain will not do it unless she rids herself of the nightmare of India seceding from her ambit, and unless Britain and the nationalists both realize that secession in the post-war world is a physical impossibility, it will not be got rid of. British statesmen will realize this fact soon enough, but not the panicky British bureaucracy. The Nationalists, non-Congress to a man, and a large section of the Congress also realize the same. But for the anti-imperialist section of Congressmen the realization has been and will be difficult, for it represents the Ideal, which forms the motive power, and creates the sanction, in all mass movements of freedom

XII

ZONAL DIVISION OF INDIA

Indian Nationalism of today is a curious composite. Its ingredients are the racial unity and the cultural homogeneity of her people, geographical integrity of the country and its apotheosis as the Mother; the love of freedom and the hatred of foreign rule; the sentiment, the tradition and the institutional and juristic unity fostered during the British period, the effects of the industrial revolution in India which has proceeded on the more or less familiar lines of England; and the ideal of a homogeneous nation state, which under the influence of Mazzini and John Stuart Mill, moulded the political outlook of educated India. Both Hindus and Muslims in many walks of life pursue friendly relations, but to men in bondage, political freedom is the most vital issue dominating life.

(1)

The outstanding fact, however, is that from the political point of view there is no Hindu-Muslim unity today, for the Muslim masses, in recent years, have been taught a philosophy of national separatism. "They are different in culture from the Hindus. India is not their motherland, one has to be made for them. Subservient alliance with the British is better than freedom in a land with the Hindu majority. Institutions must be Koranic, the present institutional life in India is alien, unIslamic. There is no Indian nation, nor is there a possibility of evolving one. The Muslims, wherever they live in India, are a nation." Thus a complete and exclusive psychological outlook is being taught to, and is accepted by, a large number of

political-minded Muslims In some parts of the country it is now accepted by the ignorant masses as an aspect of religion.

The original Congress outlook that all communities in India should segregate their religious passions to evolve a national consciousness, is blurred Hindu-Muslim riots of recent years are not spasmodic outbursts of fanaticism. They have a deeper urge They are fanned by the Pakistan ideology.

A sub-conscious urge to zonal division was given because the constitutional integrity of India was broken up by the end of 1939 by the resignation of the Congress Ministries The predominantly Hindu provinces came to be governed by the British Governors and the bureaucracy. In the predominantly Muslim provinces Muslim Ministries participated in power and were left free to follow their communal interests. Non-co-operation with the war effort and the "Quit India" was largely confined to the Hindu Provinces the Muslim Provinces openly co-operated with the war effort

But the zonal division came into practical politics when Gandhiji accepted the Rajaji formula The most powerful spokesman of Indian Nationalism negotiated with the frank exponent of the two-nation theory on the possible basis of two Indias During the Gandhi-Jinnah talks, Indian Nationalism was ready, if the Muslims so wished, to divide the country into a Hindu and a Muslim zone and to be related only to a part of the country in scope and contents The Rajaji formula provides for a plebiscite, but the safeguard is illusory In any broad plebiscite in the Muslim areas,

Indian Nationalism preached by a predominantly Hindu organisation will have no chance against Pakistan, preached by a purely Muslim Organization and supported by religious fervour.

In conceding the Rajaji formula with its two sovereign states Gandhiji made a generous gesture of conciliation. Nationalism as an inalienable background of India's destiny, however, met with a serious setback, when Gandhiji and Mr. Jinnah parted in disagreement as to details. But the lowest common measure of their agreement was that the division of a country into a Hindu zone and a Muslim zone would be a way out of the communal differences.

(2)

The only considerations which would justify a division of India into zones are

First, the Hindus and Muslims, each should have a zone of its own for its unfettered development and,

Secondly, the zones should be so formed that the communal problems are reduced to a minimum without multiplying the spheres of antagonism, and

Lastly, the purpose of such a division should not be to consolidate Muslims at the expense of Hindus, but also to provide Hindus with the same scope of development which Muslims claim.

Any division which does not satisfy these conditions is utterly worthless.

These are the four schemes for zonal division of India.

(a) Mr. Jinnah's scheme as suggested in his letters to Gandhiji.

(b) The scheme proposed in the Rajaji formula.

(c) Prof Coupland's scheme of Regionalism.

(d) The scheme put forward in the Draft Declaration of March 1942

The zone which Mr Jinnah wants for Muslims contains three separate classes of areas.

(1) Sind, Baluchistan, N W F P, which are Muslim zones already

(2) The Punjab with 43 per cent of non-Muslims and Bengal with 45.27 per cent of Hindus, both the provinces including vast territories which are predominantly occupied by the Hindus

(3) Assam, which is 62.8 per cent Hindu. If Sylhet District which has 60 per cent Muslims is left out, Hindus in this province will be nearer 75 per cent

This Muslim zone or rather zones will have a Muslim population of 5.86 crores, and a Hindu population of 4.10 crores and about 45 lakhs of other non-Muslims

It will bristle with all the present problems, and a few more, all of them much more intensified. The position of Muslim minorities, on the other hand, in the Hindu zone, will remain the same or worse as the urge for securing Hindu-Muslim unity will disappear from the Hindus. The demand for religious homogeneity would also require the enactment of prohibition laws against immigration of Hindus into the Muslim zone and the Muslims into the Hindu zones leading to mutual irritation.

(3)

A transfer of populations, though an attractive proposal in theory, is extremely difficult in practice. The misfortunes which overtook such experiments in

Greece, Turkey and Bulgaria, and the lot of evacuees all the world over during the present war, ought to serve as a warning to all those who think of transporting millions and breaking up territorial loyalties. The plight of their co-religionists in the other zone, real or fancied would also lead to disturbed relations on both sides. The zones may also be driven to take retaliatory measures against the minorities in their zones, creating a deeper antagonism between the zones. The transfer of predominantly Hindu areas under exclusively Muslim rule would lead to a bitter Hindu feeling of recovering their lost land and create a new passion which is sure to complicate the future for a considerable time.

The suggested boundaries of Muslim zones are not based on fairness or on a physical or natural basis, but on an assumption that in any solution the Muslim interests alone have to be looked to. On the footing of nationalism related to India as one country, weightage in favour of a minority as a safeguard may become necessary. But the zonal division itself proceeds on the basis that each community has to have a separate homeland for itself. On this basis there is no majority, only two units. If Muslims want every inch of contiguous territory predominantly occupied by them for a zone for themselves, why should the Hindus be deprived of a similar right? In the proposed division, 13 non-Muslim districts of the Punjab have to be in the Muslim zone because the remaining 17 districts are Muslim. In Bengal 12 Hindu districts must go with 16 Muslim districts to make up the Muslim zone. But in Assam, one Muslim district cannot go with 14 Hindu districts, the 14 Hindu districts have to go to

make up the Muslim zone because of one Muslim district' That is not a zonal division, it is a conquest.

The zones as proposed by the Rajaji Formula are logical, fair and satisfy to some extent the essential requirements on which a division can be justified. It secures to the Muslim zone the whole of the area which is predominantly Muslim. The Hindu districts of the Punjab and Bengal and Assam remain in the Hindu zone. The Muslim zone will have a population of 6.82 crores out of which 4.95 crores or 74 per cent will be Muslim and 1.70 crores or 24 per cent will be Hindu.

The community wanting a zone for itself for realising its destiny as a separate nationality cannot do so at the cost of the other. If self-determination is insisted on by a community on the ground of a religious bond or cultural autonomy the area predominantly occupied by members of another religion are equally entitled to determine theirs.

The division of the Punjab and Bengal into a predominantly Muslim and predominantly non-Muslim Punjab is not a new idea. Sir Geoffrey Corbett placed it before the Round Table Conference. In October a leader of the Muslim League, in the name of Mr Jinnah, handed over such a proposal to Raja Maheshwar Dayal and some of us met at Delhi in October 1942 to discuss its implications. The Sikh leaders who were present then developed the Azad Punjab scheme on its basis.

But the Punjab finds it very difficult to reconcile itself to a division. Unless stampeded by outside politico-religious agitation the Muslims of the Punjab will not like the idea of going out of India or partitioning the Province. A courageous Muslim leader can always

carry with him a majority of Muslims in the province against the League, whose hold so far extends only to the middle class city Muslims. The Hindus to a man are against it. Their organisations, religious and educational, are spread over the whole province. The Sikhs have now realised that Pakistan will render them helpless and a division of the province will leave them divided. Their Gurudwaras are a network which stretches throughout the Province. The bond of economic unity in the Punjab is none too weak, Hindus, Muslims and Sikhs owe a considerable part of their prosperity to the military budget of India.

The caste feeling between Jats, Khatri and Vaishyas still bind members of each caste together irrespective of difference in religion, and the Unionist Party is its living symbol. Punjabi is the mother tongue of all, and the administrative unity of the Punjab has seventy-five years of institutional life behind it. And the Punjabi, the Pathan, the Sindhi and the Baluchi have no common political or religious will.

The position in Bengal is slightly different. Hindus and Muslims in Bengal have many more things in common than the Hindus and Muslims of other provinces. The Muslims are numerically the larger community. But the general life of both communities is predominantly Hindu and their mother tongue is the same. If the Muslim and Hindu zones in Bengal have to be separate, the Bengali-speaking Hindus will be cut into halves. There will be one crore twelve lakhs of Hindus in the Muslim area against one crore fourteen lakhs in the Hindu area. Neither the Hindus nor the Muslims will like to part with Calcutta which is

74 per cent Hindu and surrounded by a Hindu belt. Bengal has its tradition of administrative unity going back to over a century and its memory of having fought for its unity in the partition days. Naturally, the very idea of dividing the Bengali-speaking people is repugnant to the people as a whole.

Pakistan ideology has produced a growing antagonism between the Hindus and a section of the Muslims. The Dacca riots are a recent memory. Defensive preparation to preserve Hindu learning and culture are apace. But the Pakistan feeling is fostered by outsiders; to the Leaguers in power, Pakistan only provides a good slogan for evoking party loyalty. The bulk of the Muslims are enamoured of power over the Province, but have no love for being submerged in solid Muslim zone.

Dr Shyama Prasad Mukerjee recently stated "the tyranny of the Muslim League Ministers on Hindus and even on Muslims who do not agree with the Muslim League politics backed by the powerful British support is a positive slur on the country's administration."

The fact, therefore, is that Sind, Baluchistan, and N. W. F. P. form the natural Muslim zone, if the religious bond is considered. In the Punjab all communities are strongly attached to the Province as a whole, but the Muslim influence is predominant. In Bengal there is homogeneity among the people and attachment to Bengal as a whole, and the Hindu influence predominates. It is only the Muslim League supported by the British which has made of these provinces the cockpits of communalism.

Self-determination is brought into service to support disruption. It is, however, a principle of doubtful validity. No nation has been formed without repressing the centrifugal tendencies of refractory groups or without overcoming a conflicting group sentiment, religious, racial or geographical. Even as a political concept, it can only be of any practical use if the nationality seeking self-determination has the guarantee of inherent military and economic self-sufficiency.

"The Treaty of Versailles ought to be a warning to all champions of self-determination. Its attempts to solve the minority problem Balkanised Europe, almost it may be said that it created a separate state wherever it found a separate minority. But the history of the last twenty years should have taught us, if it has taught us anything, that there is no solution of the minority problems along these lines."*

Self-determination ridden to death has brought in the disasters of World War II. It produced feeble states with coalition governments which could not defend nor enforce law and order. Minority claims were raised to the level of national self-determination. Sudetan minorities became convenient levers in the hands of ambitious neighbours.

"The self-destruction of European supremacy has brought about a world-wide national awakening, for which the war slogan of national self-determination supplies the ideological basis. A revolutionary movement for national independence swept, and is still sweeping over central and eastern Europe, the near

*Joad, *What Is a State, And Why not Say So*, p. 99

and the far East, and even over large parts of the American Continent"†

The whole doctrine of national sovereignty has been found wanting. The world is progressing towards a federation of States. The right of making peace and war during this World War II has been taken out of the hands of not only small nationalities but also out of large nations which do not possess a world organisation at their disposal. The theory of self-determination for nationalities and Nation States has now only the limited meaning that a culture group should be given just that measure of autonomy which would enable it to bring out its best cultural traits

Experience has shown the wisdom of Lord Acton's profound observation "The co-existence of several nationalities in a State is the best test as well as the best security of its freedom. It is also one of the best instruments of civilization. The combination of different nations in one State is as necessary a condition of civilized life as the combination of men in Society."

The zonal division of India, therefore, cannot be justified on the wide ground of self-determination. It can only be justified on the ground of each culture group being left free in matters relating to culture. It is untrue in fact that the Hindus and the Muslims, as distinct communities, form distinct cultural groups. Secondly the Punjabi, the Pathan, the Baluchi and the Sindhi Muslim are not known to be dying for consolidation.

† *Nationalism, Royal Institute of International Affairs*, p. 236.

The right of self-determination is claimed by a small organised body whose extreme political cry has caught the imagination of the local Muslims particularly of Hindu areas. This organisation though speaking in the name of sometimes 9 crores and sometimes 10 crores of Muslims is said to draw its support from the Muslim Ministries of five provinces including Assam. These Ministries are in substance the creatures of the British policy rather than the spear-heads of a popular movement.

If the zonal division, therefore, has to be conceded it is only because the most organised of the Muslim party in the country declines to permit progress except on the condition of such a zone being conceded. The claim of zonal division, therefore, is not based on anything more than the insistence of a party to have an undisturbed zone to consolidate its power and influence over Muslims. The Muslim zone therefore is the price which India has to pay for political blackmail.

(5)

The position taken up by the Hindus of the Punjab and Bengal that they will not get into a Muslim zone nor allow a partition of their respective provinces is natural. It proceeds from a belief which I am afraid is not far wrong that once they become the subjects of a professedly Muslim State, they cannot use the help of the other Hindus in their struggle to survive as a distinct culture-group. But if the price has to be paid the choice before them would be (a) whether to go in a Muslim zone with its ambition of religious citizenship, or (b) whether to disrupt their provincial tie and join the Hindu zone, or (c)

whether to support the British in their desire to continue their alien pressure for unity till the Hindu-Muslim differences are adjusted by exhaustion.

In the last alternative they will find themselves opposed by all Muslims and Hindus of the Hindu provinces. Whether they prefer the homogeneity of the religious zone, that is the ultimate question which the Hindus of Bengal and the Punjab may have to face. The Hindus of the Punjab and Bengal are therefore entitled to a right to determine their future if a zonal division is generally accepted.

Another important lesson which can be drawn from recent history has been that where territorial nationalism comes into conflict with religious nationalism, the latter goes under. In spite of the so-called unity of Islam, Arabs, Turks, Egyptians, Mongols and Persians have evolved a separate national consciousness. Similarly if Indian Nationalism is displaced, group sentiments related to the Punjab, N W F P, Sind, and Bengal will soon destroy the flimsy bond in which Islam is supposed to bind the Baluch, the Pathan, the Punjabi and the Bengali Muslims. We saw during the Gandhi-Jinnah talks how once Nationalism was found in jeopardy, the Provincial and racial group sentiments began to clamour for self-expression.

In this age of reason and science, religion cannot be a predominant factor to support the national sentiment. 'Petrified religious rites and fading psychological relics' to use the words of Stalin, 'cannot replace the living social, economic and cultural environments which surround a people.'

A third danger to be guarded against is that

treaties and pacts between men however eminent or between groups of men however disciplined is no substitute for a frame-work of coercive power. Without such a structure, human beings and groups are not known to stick together. Groups, races and nations are too untamed in their jealousies to be tethered quietly to pacts, however seductive their terms. The Treaty of Versailles was attempted to be broken no sooner it was signed. Covenant of the League of Nations was but a solemn farce. The Briand-Kellog Pact of 1928, the Economic Commission of European Union of 1929, the Disarmament Conference of 1932-33 were but pious efforts, frustrated in the very moment in which they appeared to be successful. Nearer home, the Lucknow Pact, the Congress-Khilafat alliance, the Sikander-Jinnah Pact were equally pious efforts which, unsupported by plenary power, proved ineffectual. Without sanctions no pact between groups can last.

(6)

The communal tension cannot be eased by dividing the country into zones in accordance with pacts however solemnly sworn. In the case of India even the semblance of such a pact is not within easy reach. What comes in the way of a search for an appropriate remedy for the communal tension is the general belief in India that human groups can evolve cohesion by mere agreement and without the aid of a framework of power.

Gandhiji has built up a framework of tremendous power. It is supported by the loyalty he evokes and the institutional strength of the Congress, by the sanctions of Satyagraha, by the influence of construc-

tive activities he has started But by the very nature of his technique he abjures all influence derived from the administrative machinery set up by the British. In so doing a chance is being given to the British to encourage the Muslims to stand out of it in the hope of attempting a rival framework

Gandhi's effort to arrive at a settlement with Mr Jinnah was in substance to wean them away from British help by setting up a confederacy of the two frameworks each controlling a compact zone But Mr Jinnah's framework could not stand without Britain's help or at least without her acquiescence. He therefore, could not, dare not join the proposed confederacy.

Not that if Mr. Jinnah had joined, the two frameworks would have been one Like other pacts, this one would have foundered on the distrust of the communities unless it had immediately evolved an agency with power to maintain its sanctity. Muslim antagonism would have become a sort of inter-statal war.

It is true that the Muslim League, in the mood in which it is, will not agree to one Constitution for India But without a common framework with power to enforce the rule of law within and security without, zonal division, however fair, will only lead to neighbourly conflict

XIII

TWO-DOMINIONS SCHEME AND REGIONALISM

The two schemes propounded by Britishers and which provide for the zonal division of India are (1) the Draft Declaration of March 30, 1942, on which the Cripps offer was based, and (2) Regionalism sug-

gested by Prof Coupland in his book, 'The Future of India' The clause of secession was evidently inserted in the Draft Declaration to satisfy Muslim ambitions for Pakistan It runs

"(1) the right of any province of British India that is not prepared to accept the new Constitution to retain its present constitutional position, provision being made for its subsequent accession if it so decides

With such non-acceding Provinces, should they so desire, His Majesty's Government will be prepared to agree upon a new Constitution, giving them the same full status as the Indian Union, and arrived at by a procedure analogous to that here laid down "

The claim clearly envisages two Dominions in India, one made up of such parts of India as went to cohere and the other made up of the seceding provinces and states It is so wide in its implications that it will not be difficult to completely atomise the country under the hegemony of the British Crown

(1)

In the ordinary course of things the Congress provinces will form the Indian Dominion Then the other Provinces and presumably the States will be free to combine into a second dominion, which for brevity's sake may be termed the Seceding Dominion But if, for instance, the Punjab, the States of Baroda and Hyderabad and Bengal want to form part of the Seceding Dominion, where would be the geographical or cultural or for that matter any homogeneity between the different components of the Dominion? The States and the Provinces are geo-

graphically interlocked. If the Bombay Province comes into the Indian Dominion and the State of Baroda goes into the Seceding Dominion it would make it impossible for either Dominion to work out its own without interfering with the other. If Kashmir and Assam want to remain in the Indian Dominion and Hyderabad and Bengal want to go into the Seceding Dominion what will be the position of the country?

The right of Dominion Status with power to secede conceded by the Draft Declaration of March 1942 was a concession given to Indian nationalism. It was made at the time when British fortunes were very low. They have now been revived. I see no guarantee that the British influence, wherever it can, will not try to steal away the allegiance of as many Indian States as possible to the Seceding Dominion. The Princes are too much under the influence of the Political Department of the Crown Representative and the White Dewans of some of the States, and are unable to do anything which conflicts with British interests. This influence will do its utmost to cut the geographical and political integrity of the country by interlacing territories of both dominions. The Seceding Dominion will itself be under the British control which like a python will fasten its hold over the body politic of the Indian Dominion. When that is achieved both the Dominions will be under the British Secretary of State who will be the last judge to decide whether the two Dominions should quarrel or carry on their work harmoniously. In the result, internal confusion will follow and freedom will be a mockery.

The two Dominions will be nothing more than mere clay in the hands of the British rulers of the country, without any hope of being free or coming together as a single nation at any time whatsoever

(2)

The scheme suggested by Prof Coupland is dubbed 'Regionalism' It carries the following implications

(1) That India is to be divided into four different states as follows

I. The Indus Area

This includes N W F, the Punjab, British Baluchistan, Sind, Ajmer-Merwara If states are included, it will include therein, Kashmir, N W F. Agencies and States, the Punjab States, the Hill States, Baluchistan States, Rajputana except states in (II) below.

II. The Ganges Region

U.P, Bihar, Orissa If states are included it will include U.P. States, Gwalior, Orissa States, Central India States, east of Gwalior, Chhatisgarh States, States from Rajputana, Bharatpur, Bundi, Dholpur, Kotah and Karauli

III. Delta Region

Bengal, Assam If states are included it will include Bengal States, Assam States, Sikkim

IV. Deccan

Madras, Bombay, Central Provinces and Berar, Coorg, Palni Piplavadi If States are included it would include Western India States, Central India States, West and South of Gwalior, Gujarat States, Baroda States from Rajputana, Banswara, Danta, Chikhidar, Kanker, Kawarohi, Kairagah, Nand-

gaon, Deccan and Kolhapur States, Hyderabad, Madras States, Mysore, Travancore and Cochin.

2. (a) There would be an agency centre for all the four States which will concern itself with foreign affairs and defence, external trade or trade policy, currency, control of emigration and immigration, communications, wireless, telephone and telegraph and postal services, and industrial development

(b) This Centre will not as in a Federation carry with it plenary power or dual citizenship. It would only act as an agent of the four different States

The Central Legislature would not represent a nation but 'would reflect the nationalism of different regions'. The executive will also be a kind of committee more than a cabinet. Even the Supreme Court will be constituted of one judge each from different regions

In this scheme there will be no national unity for India. New nations will be created out of the four regions into which India would be split by British fiat. This ingenuous device represents the extreme outpost of the communal policy of Britain. Though professedly framed to satisfy the Muslim claim that they are a separate nation and give them a right of self-determination, it fails to solve the communal tension or to satisfy the Muslim ambition.

The population basis of the four regions would be as follows (in millions)

	Hindus	Muslims
Indus Area	21 34	31 90
Ganges Region	91 89	14 03

Delta Region	30 66	36 85
Deccan Region	110 41	11 22

In the Indus Region the Hindus will be 40 per cent as against 17 per cent in the Rajaji Formula. In the Delta they will be 45 per cent as against 29 per cent in the Rajaji Formula. The Indus Region will include Hindu States like Kashmir and Patiala. The Delta Region will include Hindu Assam and the Hindu States.

The author claims that Regionalism fulfils the first demand of the Muslim League, viz, the political demarcation of Muslim homelands. He concedes the League claim that the Muslims are a nation. "If a people feel itself to be a nation, it is one" he says and adds that self-determination implies (1) the claim for a national home, (2) the right to a state fully sovereign. The concession is in a line with the old British policy of raising inchoate Muslim dreams into political slogans to frustrate the country's destiny.

A mere feeling is not nationhood, it must also be based on tradition, collective willing, and a group sentiment related to a well defined territory. To be a nation and the aspiration to be one are two different things.

(3)

But in truth Regionalism gives no right of self-determination, no homogeneous Muslim State, no sovereignty. The two Muslim zones will be in different States. Each zone will be loaded with a higher percentage of Hindus. The Hindu-Muslim tension will grow in intensity and in area. The Agency Centre, weak and divided, will be torn by keener communal passions than the Federal Centre under the Act of 1935.

The second claim is that the Muslims' fear of Hindu-raj will be allayed. It is not stated that it will bury the British fear of Nationalism by cutting it up into four geographical loyalties. Under Mr. Jinnah's scheme or the Rajaji Formula the Hindus have at any rate a common destiny, a motherland, though truncated, and a Nationalism related to the territory they occupy. Under Regionalism this will be destroyed. Leave aside an Indian nation, even a single Hindu nation will be out of question.

The third claim is that Regionalism will give a balance of two Hindu and two Muslim States. Why form four States if we can have two States?

The last claim is that it preserves Indian unity! A more preposterous claim it is impossible to conceive. Regionalism cuts up India into four States, to use the author's words 'four countries,' with separate nationalisms. The Regions have no natural frontiers and residents of each have no group consciousness and no common desire to come together. The ultimate destiny of Indians to form a Nation-State will be gone, frustrated. There will be six crores of Sudetan Hindus in Muslim States. Inter-statal jealousies and quarrels will increase.

Politically, the scheme cuts India into four artificial divisions. It does not contemplate national unity even in the future. Nor is it made as the means to that end. With four States even the institutional unity of India reared by 150 years of British rule will be broken up. In the Agency Centre mere agents of two Hindu and two Muslim States will face each other inspired by inter-regional jealousy. The coal-

tion executive of the Centre the favourite remedy of Prof. Coupland based on equality of representation and indirect elections, will only render bitterness perpetual. There will be no popular sanction behind it. The Centre will never work as a coercive framework of power even in central subjects, and the difference between the States will be too radical to be settled by a weak instrument like the Agency Centre

The Central Government will cease to be a centre of international power. The defence of India with its land and sea frontiers cannot possibly be looked after by such a government which possesses no power or cohesion. The statal proportion and the communal proportions in the army will make the evolution of a national army impossible. If the Premier is a Hindu and Muslim by turns, conceivably the Commander-in-Chief and the Chief Justice may also be alternatively Hindu and Muslim. Whose will be the concern of defending the North Western Frontier or the Eastern Frontier? Where will be the power which would prevent the Regional States from allying themselves with powerful neighbours?

The answer is clear. The British Governor-General will continue to provide the strength to the weak Agency Centre. It will maintain the integrity of India with British troops. Foreign and inter-regional policies will be dominated by the British Governor-General who will set one State against the other.

The regional States themselves will have very few special functions of their own. Generally they will be warring with the Agency Centre against pos-

sible encroachment There will be no distinctive affinity between the constituents of the regional States The Rajputana States have nothing particularly in common with Sind, N.W.F.P., and Baluchistan, and Gujarat has nothing distinctively common with Tamil Nad except the all-India feeling and the cultural and national consciousness, which, however, will have gone.

Just as the British Governor-General will supply the strength and cohesion to the weak Agency Centre, the British Governor will provide for a similar deficiency in the weak and divided governments of the States

If the States do not join this scheme of Regionalism, as Prof. Coupland thinks it to be likely, they will be left atomised and helpless, incapable of uniting, unable to look forward to a national status, dominated, controlled and rendered helpless by the Political Department of the Crown Representative Under the pretext of satisfying Muslim ambitions, therefore, Regionalism has been devised to Balkanise India and destroy its political ambitions and to deny its national solidarity for ever

(4)

Even the Tennessee River analogy does not apply to this scheme. The American experiment of developing the Tennessee River Valley is the result of co-ordinated effort of seven States for the fuller exploitation of the river. The authority so created has always been kept subject to the sovereign rights of the several States to which the parts of the territory belong The Act was passed in the time of President Roosevelt in 1933 by the United States only for plan-

ning "for the proper use, conservation and development of the internal resources of the Tennessee River" All the elements which have made the Tennessee scheme a success are lacking in the proposed regionalism

The use of the word Regionalism itself has suffered a translation in the hands of Prof Coupland, just as Bottom got translated in the *Mid-summer Night's Dream* when he put on the ass's head Regionalism strictly is a technical term devised for a new branch of knowledge, as a tool of research by specialists to push back the frontiers of our ignorance But when it is used for political purposes they mislead the unwary and confuse the issue Regionalism is a new concept in geography It was started as a protest against a school which made physical environments the only determinant of the fortunes of man With the growth of industrialism and modern communications it was realised that human factors influence nature equally with, if not more than, physical determinants Region was thus defined as a complex factor of natural and human factors in their interaction Such a region is treated as an integral part of the human geography

From this point of view the whole of India is a region, not any part of it, certainly not the arbitrary patchwork regions which Prof Coupland's imagination has furnished us with. For the purpose of his new proposal he ignores human factors, particularly the psychological make-up of the human aggregation in India. Of course nobody expects the British professor working out the aims of Britain's imperial policies to take into account the homogeneity of Indian

cultural traditions or the vigour of its modern Nationalism. But, at any rate, intellectual honesty should have demanded that the use of a modern term be appropriate.

Even from the point of view of physical geography Prof Coupland's regionalism has no meaning. In his discussions of the river zones he blissfully ignores the river basins when it suits him. Rajputana is not on the Indus. Bengal which he takes out of the Ganges Delta practically depends upon the Ganges and its tributaries. Orissa which is lumped together with the Ganges Delta has a river system of its own and has nothing to do with the Ganges basin or with the Rajputana States. The Deccan has no river system of its own. Even the exploiters of the Tennessee Valley Scheme met with disastrous consequences at first. The valley itself was converted into a dust bowl. It required all the power of a democratic national government of an independent country like the U.S.A. to set matters right.

Vagaries of nature can be rectified by deliberate collective human effort. But the vagaries of intellectuals as the instruments of imperial policies are bound to prove disastrous to the course of Indian history. But probably I am doing Prof Coupland an injustice. It may be that his Regionalism is only a label. Its only purpose may lie in its geo-political insinuations. In fact, the only suggestion is that India should be split up into warring zones. But none of them, nor all put together, will have or acquire the strength or the ability to combat external power and maintain internal unity. The disposition of power which Prof.

Coupland's Regionalism envisages is the old story of the Balance of Power under British hegemony in the garb of a new term applied to colonial conditions

XIV

TOWARDS AN INDO-BRITISH SETTLEMENT

In the early months of 1945 I wrote in the concluding part of the first edition of my book "Indian Deadlock" as under

"I realise that the solution of the Indian deadlock in practice is a difficult matter. The Muslim League will not come into any scheme of compromise. The Congress will find it well nigh impossible to jettison its old associations. Britain will not abandon her old policies easily. The Sapru Committee may not gather the strength to found a Centre Party, or the Congress or Britain might destroy the attempt, as they easily can. The Deadlock will then continue. Then perhaps another war or more effective mass movements will secure different results. The conclusions, however, are based on an objective analysis of the situation in December 1944. A few months gone and the kaleidoscope of Indian politics might form a new pattern requiring a different analysis altogether."

(1)

In fifteen months the face of the Indian problem as well as the world situation has changed. The solution of the Indian deadlock, therefore, has to be considered in the light of facts as they exist today.

In January 1945, Russians were marching on Berlin. Germany was nearing its collapse. Stalin had

emerged by far the greatest of the dominant war figures both in diplomacy and in war. The war in Europe was expected to end soon. The less bloody but more ruthless diplomatic and economic war had started. The prospect for freedom for helpless nations did not appear bright. It was at that time that Mr Bhulabhai Desai and Mr Liaquat Ali Khan (despite the latter's denial of it) came to an agreement. Both of them had secured the acquiescence of their respective chiefs, again, in spite of denials from Mr. Liaquat Ali.

As usual the Indian situation soon came to be re-dominated by Gandhiji. He exercised great self-control and educated the Indian masses as well as the bureaucrats to a new frame of mind by pointing out that mass Civil Disobedience was altogether out of question for the moment. The Sapru Committee started its labours. The Rajaji formula which had for the time given respectability to Pakistan began to recede in importance. The public mind slowly turned towards a recognition of the fact that a single Centre was the supreme essential for India.

In Europe Russia went from triumph to triumph. Free Poland was bartered away. So was the Atlantic Charter so far as Eastern Europe was concerned. The Democratic nations suffered an irretrievable collapse when they practically gave a free hand to Russia in this region.

With the march of time, Lord Wavell came out with a scheme for solving the deadlock. In March 1945 Dr Khan Saheb the leader of the Congress party in N. W. F. Assembly accepted premiership of the

Province with the consent of Gandhiji. This was a landmark in the reversal of policy both on the part of the British Government and the Congress. In November 1939 the Congress and the British Government had parted company when the Congress ministries resigned. Now, in spite of the war, British Government offered the hand of friendship to the Congress, may be in one Province, and it had been accepted. The war against Japan was on, expected to last for two years more.

It was a matter of great satisfaction. Mass Civil Disobedience had been unequivocally given up for the time being. A Congress party was functioning in the Central Assembly. A Congress ministry was administering a province. It was tacitly accepted that the Congress ministry would carry on the prosecution of the war. Six years of war had led Congressmen to accept what was unacceptable in November 1939. An adjustment was in progress.

(2)

There was marked difference in the atmosphere. Bhulabhai's efforts, in spite of doubts entertained in some quarters, had to some extent lifted the sense of frustration. At the end of March, Gandhiji emphasised in his letter to Mr. Bardoloi that a solution must be found.

At this time Lord Wavell emerged as the central figure interested in solving the Indian deadlock. He was not without imagination as was his predecessor Lord Linlithgow. He spoke little but straightforwardly, and slowly began to attract a measure of confidence which few Viceroys had done before him.

As the European war came to a close the two great international Combines which had the control of the destinies of the world emerged in definite outline. The Anglo-Saxon Combine consisted of the USA and the members of the British Commonwealth. The Soviet Combine included USSR and its satellites. It was clear that the world situation was going to be largely governed by the ambitions of these two great Combines. When the necessity of building up international frontiers to protect the world from the conflicts of these ambitions arose, it became increasingly clear that the integrity of India's frontier was of the greatest importance to Britain and that no British statesmen would ever permit it to be broken up.

In the meantime the Sapru Committee had published its preliminary recommendations for solving the deadlock. The situation, however, was moving towards a decision when the deadlock would have to be solved by the British who had created it. The attempt made at San Francisco to create a kind of universal sanction for enforcing peace in the world was unsuccessful. But it brought to the foreground the question of the submerged peoples of the earth. Britain also began to perceive what accession of strength it would mean for her if she as a second class power could take up the leadership of the small nations.

Lord Wavell with his keen appreciation of the fluid conditions of Asia decided to find a way out of the deadlock. He was earnest about ending the deadlock and went to England to secure the support of Chur-

chill's Cabinet. One of the greatest drawbacks of the Bhulabhai-Liaquat Ali pact was the parity given as between Congress and the League in the Central government. The Sapru Committee followed it up by another parity formula in which Muslims in the Central Government were to be equal to the "Caste" Hindus. Anyway the country was in a state of frustration and any effort at relieving it was a welcome move.

(3)

On May, 17th ended the Germany of Hitler. With it also ended the fearful nightmare which had obsessed the world. Germany was the most titanic institution which the human race had organised for enshrining brute force and reducing humanity to barbarism. It required practically the rest of the world in all its organised strength to resist and overcome the mighty evil. As Shri Arvinda had said during the early part of the war, "Germany was an Asuri force, the Allies comparatively speaking, a Daivi force". And those who stood for a comparatively humane and moral attitude won. But at San Francisco one could see the seeds of a new distrust, a new hatred, a new war. And if the war had ended the worries of peace had already begun.

Britain had paid dearly for the victory. She had suffered much. She had difficult problems to solve and she was no more than a struggling second class power. Russia had come out as the biggest imperial power in the world. It had outdistanced Britain in the technique of aggrandisement. Russian effort was concentrated on the creation of a vast defensive glacis stretching from the eastern and central

Baltic to the Adriatic sea In Asia, Russian ambition was unbounded. It had an eye on the Persian gulf Its Indian policy was to support Pakistan. It gave unstinted support to Chiang Kai Shek

From the first day of victory, Russian imperialism had begun to come into conflict with British imperialism In spite of the pious hopes of Socialist speakers in England there was a marked difference between what the USSR on the one hand and Britain and America on the other stood for. As I wrote in June 1945

“Democracy as the Anglo-Saxons understood it means individual liberty guaranteed by the rule of law and a governmental machine which is kept fully responsive to a fully enfranchised populace by means of the free interplay of all political parties To Russia, democracy means ‘equality of social economic opportunity guaranteed by the State and effective safeguards against individual accumulation of wealth, land and privilege’ In this brand of democracy, individuality is not an end, political liberty is unimportant and is reckoned as a source of weakness”

(4)

In June Britain went to the elections The attitude of the British statesmen towards India was coloured by three facts

Firstly, the British statesmen had realised that the skeleton of a down-trodden India in the imperial cupboard made a difficult asset at the international peace table

Secondly, the ill-concealed imperialistic designs of Russia required that India should be internally stabi-

lised before Russia actively intervened in Asiatic affairs.

Lastly, in spite of two years of comprehensive repression, Gandhiji and the Congress continued to possess the power to render any administration difficult, and to make every form of popular co-operation superficial unless they were willing to associate themselves with it.

Mr Churchill, therefore, with the consent of the Coalition Cabinet, took advantage of the elections to create another opportunity to woo India. Lord Wavell returned to India and in July 1945 invited representative leaders to Simla to discuss the possibility of devising machinery which would wage the war against Japan and administer British India and take steps for the future constitutional machinery necessary for bringing in a free India. Britain broke the period of frustration and actively began to solve the deadlock.

The Wavell proposals were largely based on the Desai-Liaquat Ali pact. But it suffered a material change inasmuch as the parity of representation in the Central Government was not between Congress and the League as in the original but between 'Caste' Hindus and Muslims.

At the time of the Simla Conference Gandhiji first saw Lord Wavell and in the first interview both tacitly accepted responsibility for ushering in a new era of friendship. On the 25th of June 1945 while opening the Simla Conference the Viceroy appealed to the delegates "to rise above the level of old prejudices and enmities and of party and sectional advantage and think of the good of 400 million people,

and how we can best combine to implement these new proposals made by the British Government for the advancement of India now and in the future”

The conference dragged on, but the country was out of frustration. And a new hope was in the air. Maulana Azad covered himself with glory by his sane approach. Mr Jinnah was, however, intransigent. He declined to relent from the impossible stand which the League had taken as regards its representative character. As the result of this attitude the Simla Conference was dissolved. Lord Wavell gracefully took the responsibility for the failure on himself. But it was admitted on all hands that he had done his best to ensure success.

The Congress had achieved distinct triumph and established a record for strength, unity and statesmanship. The sense of frustration had been overcome. The bitterness which marked Indo-British relations had been laid at rest, maybe for a time. The whole country had rallied round the Congress as the spearhead of the national movement. Nationalist Muslims who had been disheartened on account of the aggressive nature of the Muslim League found a new hope. Mr Jinnah, from the point of view of Disruptionism, claimed to have escaped a snare. Before the whole world, however, he stood exposed as the one man who stood between the country and its freedom.

(5)

The British Government learnt a lesson from the failure of the Simla Conference. They found that they cannot go on sitting on the fence, favouring Nationalism and Disruptionism by turns. It was clear

that they must make up their mind either to help Nationalism to come into its own or play with Disruptionism till insurgent National India overcame both Disruptionism and Imperialism

Lord Wavell confessed his inability to form a Central Government without the concurrence of the Muslim League With Mr. Churchill in power at Downing Street, he could not fight the League position that it would not participate in any interim arrangement till Pakistan was conceded

Then came the resounding Labour victory at the polls. It was a triumph of principles over personalities, of socialistic outlook against reactionary imperialism The Labour group which came into power was an infinite improvement on the Ramsay MacDonald Cabinet of the past Major Attlee, if not brilliant, was effective, sober, and had the promise of a very successful premier Bevin, Morrison, Cripps, Pethick-Lawrence, Dalton and Jowitt were all first-rate men who had fought for their principles, for the common man Behind them all was Prof Laski, the conscience-keeper of the average democrat all the world over

But the one thing which made India happy was the elimination of Amery Amery claimed that the Wavell Plan was his Mrs Amery lamented the loss to India of her best friend But India, with one voice, expressed its gratification at the burial of Mr Amery's parliamentary career During the five years of his regime he had never opened his mouth without offending India He had encouraged a regime of persecution which had few parallels even in the annals of British Imperialism His conduct at the time of Gandhi's fast in 1943 was characterised by the callous-

ness of Roman emperors Millions had died of starvation in India under his regime. His disappearance, therefore, marked the end of a chapter which Britain could not remember without shame, and India, without indignation

XV

THE SWIFT MARCH OF EVENTS

The Potsdam Conference converted the all-powerful German Reich into a four power dependency Then came the Atomic Bomb If Germany was broken and reduced to slavery, heroic Japan was in ashes

India became what Lord Listowel described as "a high priority issue" The immediate issue before America and Britain was to organise their influence in Asia so as to render Russia's ambitions innocuous Their obvious course, therefore, was to strengthen Turkey, the Middle East, Iran, India and China in order to thwart Russian plans. The Labour Government was not slow to perceive that with its resources and strategic position India was the key to peace in the East Its manpower was an unlimited reservoir of strength A free and strong India was, therefore, recognised as the greatest factor for stabilising democratic influence in Asia

(1)

In 1940, in a personal letter to Lord Linlithgow, I had stressed the need for a national government in India in order to stabilise Asia After 1945, after the world had a blood bath of incomparable ferocity, it came to be recognised that Asia could not be stabilised without a national government for India with plenary powers

The British government then decided to hold the

elections in India with a view to crystalise the party influences. Immediately there was a searching of hearts and change of party alignments. At that stage it became necessary to define Congress attitude towards Pakistan. The Congress in the past had been playing with the Pakistan issue, in the hope that it would come to some reasonable settlement with Mr. Jinnah.

Despite the famous Jagat Narain Lal Resolution, which unequivocally stood for Akhand Hindustan, attempts were made to provide formulas for settlement, but experience taught leading Congressmen not to expect anything from discussions with Mr. Jinnah. It was clear to everybody that the country was going to the polls on the Pakistan issue.

A bold decision was taken by the Congress. It was expressed at the A.I.C.C. meeting in Bombay in August 1945. Wavering Congressmen like Mian Iftikharuddin resigned from the Congress and joined the League. The clearest lead was given by Sardar Vallabhbhai Patel in an interview in the following words:

“But we Congressmen must be clear in our minds. We can be no party to the division of India on religious grounds regarding the Muslims as a nation separate from the Hindus. We belong to one country, India, and are one nation, whether we are Hindus or any other religious group. —

“The principle of self-determination has been already recognised by the Congress. The resolution of August 8, 1942 went the farthest limit. Every Congressman is bound by it with all its im-

plications No Congressman can go further without the Congress altering it

"I have made up my mind It fully protects the autonomy of provinces and also minorities It must also be remembered that the pledge given by the Lahore Congress to the Sikh community cannot be ignored If we are a true democracy, a day must come when nobody will feel that he belongs to a minority That has been the goal towards which the Congress has been working "

This was followed up by a bold and uncompromising resolution of the Working Committee which pledged the nation against disruption The resolution divided itself under five heads

- 1 India must have a strong nation state
- 2 The constitution must be federal with the fullest possible autonomy for the federating units
- 3 The residuary powers must rest in the units
- 4 Minority rights should be protected by a clause on fundamental rights in the constitution
- 5 The principle that the people of a territorial unit should not be compelled to remain in the Indian Union is accepted, but its application is hedged in by, the qualification that it does not create fresh problems or exercise compulsion on other substantial groups within that area

The resolution made one thing clear The Congress would not permit its representatives to be oppressed by the demand for appeasement If centrifugal forces had rights, so had the integrating forces If self-determination was a principle worthy of recognition, Nationalism was a greater principle still, which was more important to the life of the country

This had the desired effect. The resolution evoked enthusiasm all over the country. The Hindu Mahasabha, whose only plank was opposition to the Congress on the plea that the latter stood for settlement on the issue of Pakistan, had now nothing left to fight for. And the Congress started full stream to win the elections.

(2)

Then the British staged a court martial of the INA officers at the Delhi Red Fort. The whole country irrespective of communal, political or provincial differences demanded that the trial be abandoned. The British wanted to damn the INA officers as disloyal to the country and the King. But their so-called disloyalty to the King of Britain became their passport to the loyalty of their countrymen.

The whole INA trial was extremely ill-advised. It was staged at a time when the elections were on and supplied a fresh inspiration to the popular impulse. It was staged at the Red Fort, perhaps, with a view to impress upon the country Britain's might. It was forgotten that the imagination of the Indian people could create round the Red Fort an atmosphere of independence of old Delhi and read INA's exploits as a fitting association with free Delhi. Subhas Bose, whose exploits were so far unknown, came out as a hero, a patriot, a would-be liberator of the country by the incontrovertible evidence led by the Crown. The exploits of Capt. Shah Nawaz and his colleagues proved beyond the shadow of doubt the burning patriotism which actuated these noble fighters. They proved that the Indian Army, though British trained, is nationalistic, and that some of the officers, if India

had been free, would have risen to the highest military ranks. And by this trial, the British provided to every member of the Indian Army an object lesson of what a patriotic military man could and would be.

Out of this trial the British got nothing, and India everything. Such is the fatality which dogs the footsteps of foreign rule.

Subhas Bose received an apotheosis, Captain Shah Nawaz and his colleagues a place in Nation's memory; and the Indian freedom movement, a new impetus and a direction.

This trial opened up an entirely new chapter in the history of India's struggle for freedom. Ripon brought the educated Indians together. The partition of Bengal brought the new Nationalism to the fore. The Jallianwalla Bagh added non-violent non-cooperation and civil disobedience to the armoury of the nation. The ruthless suppression of the 'Quit India' movement trained Indians into the mysteries of the sabotage movements. The INA trial brought the Indian armed forces to the national movement.

The material provided by the INA trial has laid the ghost of the British myth that Indians are not capable of constructive leadership, that they are backward in the art of Government, that they are not fitted to occupy the highest place in a military organisation, that Hindus and Muslims are not capable of working together under the urge of patriotism. What it has proved and proved beyond the shadow of doubt is that once the third party is out of the field, Hindus and Muslims could be found to secure and maintain national freedom.

Then came the Parliamentary Delegation. It was the luckiest representative delegation which had been sent out by Britain. It received a cordial welcome which no other set of British representatives had ever received. It indicated the change that had come over the Indian mind towards British policies and particularly towards the British Labour Government.

(3)

A vital bond, under these circumstances, links us to England. We cannot place the strength and integrity acquired during the last century at the mercy of a third world war. The future of the National independence of India and of the British Commonwealth in Asia cannot be separated. Before the next trouble starts a National Government in India, fully equipped and assisted by Britain, must emerge as a self-controlled unit of international strength. It is therefore of the highest moment that Britain and India should come to a closer understanding.

Mr Jinnah claims Pakistan, not of purely Muslim areas but of large Hindu areas including Assam, a Hindu Province, a Muslim State of 103 millions in which 41 million will be non-Muslims, of a quasi-theocratic state for the claim is to have a State according to the Shariat in which there will be more than 40% of religious serfs. This is a claim which can never, never be conceded.

India cannot afford to be disrupted. If it is, the internal communal rivalries will flare up as an international issue which must precipitate a world war on the soil of India.

The central fact is that the Amery-ite formula that no political progress will be permitted in India unless

Mr Jinnah lifts his veto has done incalculable harm to the country.

If, therefore, the British stick to the Amery-veto, no solution is possible. The Congress must in the nature of things make yet another attempt and this time a much more formidable attempt to get the British to 'Quit India'. National India cannot wait on Mr Jinnah's pleasure. If Mr Jinnah sees light, solution is easily possible. But he will not, perhaps he dares not. He may count on the traditional horror in which the British bureaucrat holds the Nationalists in India. But if Mr Jinnah stands out will the Congress agree to form a National Government within the ambit of British international influence? The Congress is a marching, fighting machine, it is traditionally anti-British. And once on a march, it becomes difficult for it to resist its native fighting impulse unless at the behests of Gandhiji. He alone, of all leaders, knows when to fight and when not. In any settlement, therefore, his influence is of supreme value.

(4)

In the Central Assembly elections, the Congress came out as the representative of the whole country except the section of Muslims represented by the League. In the Provincial elections also the country has given an unequivocal verdict. N.W.F. Province, a pure Muslim Province, proved overwhelmingly Congress. In Sind, but for the unconstitutional action of the Governor who had the traditional horror of the Congress, a coalition ministry of the Congress, Nationalist Muslims, Labour and European members would have set the pace for a national government. In Assam, a Hindu majority province which Mr. Jinnah

wants to tack on to his Pakistan, the Congress succeeded beyond expectations, and also attached some European members to it. In the Punjab, as the results have shown, the Congress swept almost all the Hindu constituencies and a few Muslim and Sikh constituencies. It formed a coalition with the Unionist Muslims and Sikhs and the Akali Sikhs. Its leader Malik Khizr Hyat Khan whom Mr Jinnah courteously called a Quisling was installed as the Premier.

(5)

India is potentially the most powerful country in the democratic bloc. The last hundred and fifty years of contact with Britain has imbued it with a democratic outlook. The bulk of its people are by tradition and outlook anti-Communist. With Iraq, Persia and Afghanistan on the one side and China, Burma, and Malaya on the other and the Russian frontier within a day's marching distance from it, it is 'the most formidable stabilising factor in Asia. But this formidableness depends upon the integrity of its present frontiers and the absence of such international conflicts as would make it a prey of foreign ambitions. Any solution that we can welcome must guarantee both these conditions. If not, India will be a cockpit of international ambitions.

The integrity of the present Indian frontiers is, therefore, of the greatest essentiality. We cannot afford to tinker with it; nor can Britain dare to break it. Any change in the constitutional structure of India must necessarily imply a Central Government with ability to protect the present frontiers of India. The Muslim League swears by Pakistan. What international ambitions lurk in the recesses of Mr Jinnah's mind it is difficult to say. But the alliance of

the League and the Communists on the necessity of Pakistan is significant. It will, therefore, be impossible for national India or Britain to contemplate Pakistan with equanimity unless they want to see an international conflict on the soil of India. Yes, one thing is possible. Britain may retain military control of our frontiers, and within those walls, we may be permitted to play at two sovereignties, but it will be neither independence nor sovereignty. That is what India will not tolerate.

The solution of the Indian problem lies purely in British hands, it does not lie in our hands despite British protestations to the contrary. When it suited them they solved problems in other countries without the consent of the people concerned. It was only during the war that Mr. Amery discovered the formula that there should be unanimity in India before freedom could be conceded, an excuse as impossible as it was transparent. It was pure war propaganda. Pakistan is the legitimate child of the separate electorates which were brought into existence by British policies. Britain alone can, therefore, solve the problem of Pakistan; she alone can give a quietus to the Frankenstein that she has called into being. If she once and for all declares that under any conditions she is not going to disrupt the integrity of Indian frontiers and to place the forty-four millions of Hindus under a semi-theocratic Muslim State without their consent, there will be an end to the fanatic ambitions of founding a Sultanate of Pakistan.

It must not be forgotten that for 30 years past Britain has been creating an atmosphere of impending changes in which every party is driven to man-

oeuvre for greater advantages when the solution comes. The solution, however, has not come, it cannot be anything short of complete autonomy consistent with happy relations between the members of the Commonwealth. Any constitutional framework which falls short of this, will perpetuate internal jealousies and prevent the parties from settling down to constructive political work. Britain cannot stabilise Asia with the aid of India and keep India in a ferment at the same time.

On the part of India the requisite conditions are to make a supreme effort to come to an understanding with Britain, to forget the distrust which history has planted between Britain and India and Hindus and Muslims, to be prepared for co-operation with Britain so as to permit Britain to recover from the post-war slough into which she has fallen, and to control our idealistic ambitions in search of the realities of power.

XVI

THE DIFFERENT APPROACHES (1945)

It would now be appropriate to recapitulate the approach to the Indian Problem by different parties

(1)

A. The British Die-hard Approach

This approach is based on several assumptions. The British Empire as a world trustee of weaker people, is the last word in human progress. It has to be maintained intact. The Britishers, therefore, for a long time to come, must remain the guardians of India, and rule it with a British army of occupation. Democratic institutions might be introduced for Indians to play with, so long as real power is

in the hands of a bureaucracy which is guided and controlled in the Provinces and the Centre by British officials taking their orders from the British Secretary of State. In order to achieve this end the Constitution is to be so manipulated that divisions might be multiplied in India and the real centre of power may continue to remain at White Hall. This approach is unworkable and anachronistic.

(2)

B. The Approach of the Congress Socialists

This approach rules out the possibility of what is termed 'a truck with British Imperialism'. Hindu-Muslim antagonism, according to it, is of no importance, if not altogether unreal. Dominion Status is a badge of slavery, any constitutional compromise is worse than a repressive regime. It looks forward to recurring waves of revolutionary mass movements; and to the time when the British will surrender power into the hands of the leaders of the last successful of such movements, leaving India united and independent.

Many live or have died for this approach. But in the light of the present situation, it cannot help to solve the present deadlock.

The Indian Deadlock has come into existence as a result of the British policy. This policy is designed to the end that India should not acquire such power and strength as would compel Britain to let go her Indian possessions. To achieve this end, active Hindu-Muslim antagonism which had disappeared for all practical purposes before the British rule, has been converted into a dominant feature of modern Indian life. Disruptionism, its product, now bars the

way to all political progress. A subsidiary feature of this policy has also been to mobilise the Scheduled Castes, the Indian Princes, the British interests and such other pawns to obstruct the formation of a National Government in which the British would not have a controlling voice. Britain, therefore, will not withdraw its support from Disruptionism nor would it permit an advanced measure of self-government unless it does not carry the effective power to secede from the Commonwealth at once and does not weaken Britain in the international field or impede her recovery.

So far as one can see, no external circumstance is likely to arise in the near-distant future which will force Britain to give up India except a world conquest by U.S.S.R. Nor does there appear any immediate possibility of a mass movement on such a scale as would succeed in wrenching independence from British hands. Such a movement can destroy, not build, the future.

(3)

C. The Gandhian Approach

It is difficult to gauge Gandhiji's reaction to all the aspects of the present situation. But if one could discover it in his recent utterances, his approach is characterised by these objectives (a) to come to a Hindu-Muslim understanding on the basis of a just concession of provincial alignments and autonomy, with a common agency for all Indian federal subjects, (b) to organize the constructive activities so as to rebuild the hold of the Congress over the masses on a surer foundation, and (c) lastly to work for Indo-British friendship on the basis of free partnership.

The approach is calculated to generate popular power. It conceives a political compromise only when there is a genuine negotiating mind on the other side. This approach is a great positive factor in solving the deadlock, as the British Government are ready to implement the Declaration of March 1942 and revive provincial autonomy in the Congress Provinces. But at no time will it be possible for the British or other parties to work any constitution whatsoever which Gandhiji and the Congress decline even to acquiesce in. Unless the transfer of power is substantial so as to attract some national support, mass civil resistance will certainly reduce British rule to a precarious military occupation.

(4)

D. The Hindu Mahasabha Approach

The Mahasabha swears by Indian unity. It wants a democratic state based on 'one man, one vote' principle. It hopes to scrap the separate electorates and the MacDonald Award. According to it, the majority, that is Hindus, should prevail. How this ambitious ideal is to be achieved is not clear. Today it has no sanction either in number or coercive corporate activity. As a positive force it has ceased to possess the little value it possessed last year.

If the British Government allies itself with the Muslims to disrupt the Hindus or destroy their destiny, the Sabha will gather strength. Even in the ranks of the Congress there is a very substantial section which has not been slow to realise the implications of the failure which has met the Hindu-Muslim Unity programme of the Congress.

E. The Muslim League Approach

The present Muslim League approach was vaguely formulated by Mr Jinnah in his article in *Time and Tide* of January 19, 1940. He stated "A plan must be evolved that recognises that there are in India two nations, but both must share the governance of their common motherland. In evolving such a constitution, the Muslims are ready to co-operate with the British Government, the Congress or any party so that the present enmities may cease and India may take its place among the great countries of the world." But then the Congress was expected to return to office, and the British policy had not put a premium on Mr Jinnah's veto. So the approach envisaged two Nations, one Motherland, one State, and one India in the international sphere.

The present approach is entirely different. Muslims of India are a nation wherever they are. They alone have a right of self-determination; the N-W F P, the Punjab, Baluchistan, Sind, Bengal and Assam, except for minor territorial adjustments, must be handed over to the Muslims as their homeland, the Hindus in this territory have to be second class citizens of a nation state, the full fledged citizenship whereof is based on religious belief, the State is to be sovereign and has to be made economically self-sufficient at the expense of Hindus.

The approach is unrelated to practical politics. Britain is not likely to favour Disruptionism which will conceivably be a greater menace to her interests in India than Nationalism, and certainly a danger to the security of the frontier. An approach of this kind,

if pursued, will not lead to a solution, but to the intensification of the Hindu-Muslim antagonism. If Britain concedes this claim it will launch India on a career of full fledged civil war. Even if it is not conceded, the Muslims will not reconcile themselves to any constitution, unless it gives the Muslims an opportunity to consolidate themselves into a single zone

(6)

F. The Approach of the existing Constitution

The Constitution Act approached the Indian problem from the point of view of giving to India responsible government in provinces, and a federal centre which in course of time may evolve into a Dominion government. The idea behind it was to create a strong constitutional framework for the whole of India. It made due provisions for the protection of minorities and for the quasi-independence which the Indian States enjoy today. Except that the special powers and responsibilities of the Governor-General and the Provincial Governors were left ample and unfettered, subject only to the mandates of Whitehall, the Constitution created an Indian State with plenary powers. The electorates were broad-based and genuinely democratic in spite of separate electorates, weightage and reservations.

The power of the Congress and particularly the Rajkot incident made the Indian Princes nervous about their dynastic security. They hesitated to transfer their allegiance from the White Political Department of the Crown Representative to power derived from their own people. The War sent the Congress out of office and the British raised the

Frankenstein of Disruptionism The result has been unfortunate A Constitution which in spite of its shortcomings had great merits and considerable elasticity was shelved during the war, as if by common consent.

Given the same spirit of adjustment at the Centre as prevailed between the Ministries and the Governors between 1937 and 1939 and a few vital changes, the Constitution is capable of emerging as a full fledged constitution of a free India

In spite of the fact that the British Government, the Congress and the Muslim League have come to a tacit understanding to reconsider the constitution afresh, the approach of the Constitution Act of 1935 is the most formidable. It has created an institutional structure of great strength for India Its principal features cannot be ignored in any future solution. The Federal Court, the Reserve Bank of India, the framework of the provincial and central governments, the division of powers, the statutory weightage and reservation for minorities, are things which exist and have grown deep into the political life of the country No constitution-framing body can ignore them, or alter them beyond recognition Nor would such alteration lead to anything but confusion worse confounded

No doubt some points of view which have come into existence since 1940 may like to destroy the approach altogether The extremists amongst the Disruptionists will not like it The Left Wing Congress would certainly like to make short work of it But when constructive political thinking comes to

the aid of a solution, it would be difficult to find a better starting point than this Act

Prof Coupland has done a great harm to India by providing a fictitious contractual basis for the Constitution and then urging that it should be scrapped on the ground that that basis has disappeared. According to him moderate Muslims at the Round Table Conference agreed to a federal government on the basis of the implications that the provincial autonomy was to be real, that the Central government was to be a coalition government, that the Indian States were to come in as a counter force against Hindu-Muslim differences, and that the special responsibilities of the Viceroy were to be maintained. The learned professor then charges the Congress with having broken this basic contract in that it tried to extend the logic of majority rule in the Centre by extracting from Provincial Governors the assurance of non-interference, by introducing Muslim mass contact campaign, and lastly, by seeking to establish a responsible government in the States.

This ingeniously suggested contractual basis came to be known only when Prof Coupland's imagination came to the rescue of the British policy which was interested in modifying the Act. In fact all the statesmen who were parties to framing the Constitution were certain that it was a final one, that the responsibility of the Governor-General and the Governors was to be eliminated by internal pressure. The Congress was never a party to the so-called contract. On the contrary it was framed behind its back. It was given a statutory form when the Congress was in jail. And it never professed to

do anything but break it. Indeed the framers of the Act never dreamt that the Congress will use the Act for the advancement of freedom so swiftly.

Prof Coupland and the British experts like him now want to scrap the Act, not because it was not a well-devised constitution, but because it was possible within its four corners to secure the transfer of real power from the hands of British Governors to the Ministries.

Today six Provinces in India out of eleven are functioning under this Act. The remaining Provinces are also being ruled by the Governors under the powers given under the Act. It is, therefore, impossible to conceive that the approach of the Constitution Act can be completely ignored in any future solution.

The Declaration of March 1942 was only an advancement on the approach of the Constitution Act of 1935. The Union of India was not to be far different from the Federation of the Constitution Act. The Provinces were to remain the same except that any one of them had the liberty to vote itself out of the Union to form a separate Dominion. The rest of the structure was to remain as it was, except in so far as it had to be altered to make of it a full-fledged Dominion Constitution. That Declaration stands and the approach of the Constitution Act as remodelled by the Declaration naturally provides a framework for future solution.

Of all the factors which have to be taken into consideration in finding a solution the most powerful factor is, therefore, the institutional framework im-

posed by the Constitution Act of 1935 and its logical advancement towards the objective laid down by the Declaration of March 1942.

There is no likelihood of all the elements in the country agreeing to any form of constitution. Equally, there is no possibility of the present deadlock being maintained endlessly. The Labour Government's approach is highly accommodating, for the international situation requires a stable India and the Congress in its new 'Quit India' technique possesses a formidable instrument of rendering any stable government of India impossible.

The solution, whatever it is, must be of a permanent nature and must be built on the foundations that exist. Since 1919 the British attempts to make constitutional changes have led to a chronic state of uncertainty in matters political, and a constant atmosphere of coming changes has enriched the breeding ground for impossible demands. The weakness of Lord Linlithgow in not bringing into existence the Federal Part of the Constitution Act of 1935, in spite of his great desire to do so, was a disservice rendered by him to India. Any attempt to drastically change things which have grown into the life of the country would only lead to disaster.

XVII

Shape of Politics (1945)

The object is to find a solution of the communal problem from a constitutional and political point of view so that India may attain solidarity and freedom. I have stated the problem a little widely, for the com-

munal problem is the product of the political problem. Till the latter is solved, the former will remain insoluble. The following analysis is an attempt made to appraise the realities of the situation in order to find a way to solve the problem

(1)

The factors which have created the situation from which the political problem and incidentally the communal problem arises are as follows:

In view of her stakes, Britain had no intention to transfer power to Indian hands during the war, and found a safe pretext that all parties and interests in India are not substantially agreed on the solution

The Muslim League which acquired great strength by helping Britain to carry out her intention, declined to come to any agreement with the rest of the country unless (a) Muslims were accepted as a separate nation, (b) N W F, the Punjab, Sind, Baluchistan, Bengal and Assam except for minor territorial adjustments were carved out as Muslim homelands, (c) Congress withdrew its declared opposition to the British rule by withdrawing the August 1942 Resolution which was held 'inimical to the ideals and demands of Muslim India'

The Congress was not willing to co-operate in the governance of the country or in the war effort unless effective power in the Centre was transferred to the people of India.

The rulers of the States refused to join in or work with any common political organisation unless their present nominal sovereignty was converted into a real

security against the growth of popular power in the country and in their respective States.

(2)

The influences which operated upon the situation, till Lord Wavell, and now the Labour Government decided to break the deadlock, were

British fear of Indian Nationalism

The position of the Congress as the principal instrument of Nationalism.

The disruptive urge of the Muslim League

The principal influence which created and maintained the situation was the British fear of Indian Nationalism as a power seeking the independence of the Country. This factor found expression in different policies of which the most important were those which attempted to atomise the national strength by fostering disruptive tendencies, which were (a) religious, (b) economic, and (c) dynastic.

The British policy of converting religious minorities into anti-national forces in the Country in order to retain a hold over India had reached its highest effectiveness in creating the Hindu-Muslim problem of the day.

In 1909 Britain induced the Muslims to demand, and chccrfully conceded, separate electorates, admittedly with the object of 'pulling away sixty millions of Muslims from the seditious movement'

From 1919, Britain trained the Muslims, through the reactionary leaders thrown up by separate electorates, to make aggressive demands, and by granting

favours, turned them, to use Lord Oliver's words, into 'a make-weight against Hindu nationalism'

Since 1925 Britain has encouraged the conversion of the Muslims as a religious minority into a national minority

In 1933, by MacDonald's Award, Britain, without reverting to the joint electorates, conceded most of the Muslim demands, which were at one time demanded by the Muslims as a *quid pro quo* for them. guaranteed a Muslim majority vote in the Punjab and Bengal by statute, and formed provinces which would form a balance of power between Hindu and Muslim Provinces

In 1939 when the Congress gave up its alliance with Britain by withdrawing its ministries, Britain encouraged the Pakistan Movement, gave to the Muslim League the right to veto any political progress, and set up and maintained League Ministries. For instance, in Bengal, with the help of European votes she supported the ministry even under circumstances in which any ministry in Hindu Provinces would have been dismissed

In the Cripps Offer, Britain conceded the right of any Province to go out of India and form a separate Dominion, the effect of which, if worked out sedulously under British influence, would be to interlace two Dominions in the whole country and perpetuate friction

The officially advertised Regionalism of Prof. Couperland encouraged the Muslim ambition by proposing the division of both Hindus and Muslims into four different States with different nationalisms and a

helpless Agency Centre which must necessarily rely upon the British Governor and British troops for strength

The same policy, with equal success, was being attempted with smaller religious communities

The Sikhs were, and to a large extent are, nationalists. After some of their leaders interviewed Sir Stafford Cripps, there was a clear line of thought perceptible in the community which looked forward to a Sikh State. It was an idea, it could germinate easily if a few British promises were forthcoming; and another obstacle to national unity would have been erected.

The Gonds of the Central Provinces, a few years ago, never dreamt that they were not Hindus, nor would they appear non-Hindus in outlook or general habits. The fact that they ate beef and had two or three other distinctive habits peculiar to their forest life and not commonly found among Hindus, was found sufficient for the official policy, now adopted for several years, of recognising them as a distinct non-Hindu community.

Of late the Backward and Aboriginal tribes were being proselytised to Christianity with vigour under quasi-official patronage with a view to create another politically conscious atom out of the nation.

(3)

Simultaneously, the policy of fomenting distrust between classes on an economic basis was being pursued.

In the early stages of the Congress, the policy took the shape of the British Officers posing as guardians

of the dumb millions against the nationalists. When this policy failed, the British Officer became the protector of the agriculturists against the exploiters of the city.

When the Gandhian movement absorbed the agriculturists in the fold of nationalism, this policy was directed to convert the economically submerged Scheduled Classes into a politically submerged independent group, which, when required, could serve as a disruptive force. This policy had assumed different shapes during the last twenty years.

First, the MacDonald Award split the Scheduled Classes from the bulk of the Hindus, though Gandhiji's fast averted the disruption of Hindu solidarity.

Secondly, as in the case of Muslims, a policy had been adopted of encouraging high-pitched claims on the part of the Scheduled Classes and creating situations wherein the rest of the community could come to be considered as their natural enemies.

Thirdly, even though as a result of elections of 1937 the Congress parties in the legislature had more Scheduled Class members inside than outside of them, the leaders outside the Congress only were recognised officially as the leaders of the community. The national minded Scheduled Class leaders were made unrepresentative of their community for governmental purposes and thus deprived of their influence over the community.

Fourthly, whenever on account of weak and divided coalition ministries the British Governor was effectively in power, the Scheduled Class members

were nursed, particularly in the Punjab and Bengal, so as to prevent them from allying themselves with members of the Hindu community. In pursuit of the same policy as in the case of Muslims, some leaders of the Scheduled Classes were encouraged to speak in terms of their being a political or national minority.

The utterances of British statesmen had also encouraged the anti-national Scheduled Class leaders to claim that they should be invested with some kind of veto on the political progress.

The latest phase of this policy was to try to create in the post-war period a separate privileged group of soldiers all over the country. Plans were afoot in all Provinces to create conditions in which, not the individual soldier, but soldiers as an independent group, would be treated with favours, thereby hindering their re-absorption into the body politic. With this object in view, for instance in Bombay, the post-war agricultural grants had been earmarked only for those areas from where soldiers had been drawn and in proportion to the number of soldiers recruited

(4)

The British policy with reference to the Indian States had a similar objective and was directed to keeping them completely helpless and dependent upon the Political Department, and encouraging them to distrust any alliance with British India in working out the destiny of their country

Before 1857 the policy was to destroy the power and independence of the Indian States and to strength-

en British India After 1857 Canning, on his own admission, adopted the policy of making them the instruments of British Imperialism.

The quasi-independence of the Indian States had practically disappeared during the last 80 years. The recent merger was the latest culmination of this policy.

On the other hand, steps were being taken to wean the Princes away from an association with British India lest they might increase national power About the time of the Round Table Conferences the doctrine of their sovereignty was raised into a psychological barrier against such an association The barrier was raised only against British India without in any manner improving their position *vis-a-vis* the Paramount Power

Later the Princes were encouraged and helped in suppressing popular movements in their States. Between 1937-39 more than one attempt on the part of an Indian Prince to come to an understanding with the popular movement in his State, was either thwarted or prohibited by the Political Department

One of the contributory causes of the success of this policy, it must be admitted, had been the demand of the extreme section of the Congress and Praja Mandals to eliminate the dynastic rule or to deprive the rulers of their power completely This drove many of the Indian Princes into the arms of the British policy in the defence of their dynastic rule

As a bye-product of the same policy, an economic programme was devised so as to throw the demand for political freedom into shade Vast plans were being

made, which would employ a large number of men who were expected to stand loyal to Government. Propaganda was being carried on in favour of such plans with a view to side track political demands.

The factors arising from these policies were often attributed to intolerance of certain sections of Indians, to the alleged totalitarianism of the Congress, a desire of certain sections of Indians to have their legitimate place, or to the British responsibility in India.

In fact these form part of the well-known technique of British diplomacy tried successfully all over the world. It should, therefore, not be forgotten that many disruptive symptoms in this country are not the result of inherent weakness but the result of this technique.

(5)

One operating factor of the greatest strength which is generally ignored by Indians is the institutional unity of India brought about by the British rule.

For over 80 years a more or less unitary form of government exists in this country and it has been intensified during the last five years.

The Government of India Act of 1935 has reared an institutional fabric for the whole of India which has already created a great tradition in this country.

The Draft Declaration of March 30, 1942, has placed before the country an objective, higher than which it is impossible to achieve by negotiations.

Three facts of importance must not be lost sight of. First, the very existence of British influence in

Asia depends upon India being a compact unit so far as the international sphere is concerned

Second, the institutional continuity and the united political life of the country set up by British rule will not be broken up easily, and if broken, will lead to disastrous consequences.

Third, even if by some kind of solution the country is divided for internal purposes, Britain herself will certainly maintain the integrity of her military and naval frontiers of India so that the internal disruption of India will not destroy her position in the world

(6)

Another operating factor in the situation is Nationalism of which the Congress led by Mahatma Gandhi is both the instrument and architect. It has for its objective

- (a) a single nation state for India, and
- (b) independence from foreign control

The technique of the Congress in the hands of Gandhiji has been to generate power in the Indian masses independently of the administrative machinery. The principal objectives of this technique are

(a) To build up a vast network of constructive activities which organises, trains and energises the masses

(b) To withdraw its association from the official machinery whenever there appears a danger of the disintegration of national strength

(c) To start civil disobedience movements in different shapes for consolidating the national forces and depriving the Government of active popular support

(d) To provide a huge framework of power and influence which draws into it every Indian outside the Muslim League, and renders it difficult, if not impossible, for any other group from having influence with the masses

(7)

The Muslim League is no longer merely an instrument of British policy. It represents an urge among the Muslim masses and some of its leaders to have a separate homeland in India, to overawe the Hindu majority in order to dominate the country, to possess the freedom to join a Pan-Islamic consolidation, which ardent spirits imagine to be the ultimate destiny of the faithfuls, to ally itself if necessary with U.S.S.R.

This urge is not very powerful yet, nor clearly perceived, and may not survive the withdrawal of British support from the League. The League leaders of Bengal, the Punjab, N.W.F., Assam and Sind only utilised the Pakistan slogan for political purposes, and when in power have been dependent upon the British Governor. Their communal outlook has largely flourished on the acquiescence of British Governors and the supineness of the Hindu ministers of those governments.

The situation before the Labour Government came to power may be thus summarised.

The British did not want to share any power during the period of the war. She did not desire to offend the League which had been so helpful.

The Congress had been isolated, and could not go back to power unless it gave up its creed and motive force by accepting weak coalition governments in the

Provinces, by facing a schism between its Gandhian and its revolutionary wings, by accepting the partition of India before India attained independence

The Muslim League did not compromise with the Congress because a compromise

(a) would mean the loss of British support;

(b) would lead to its ranks being thinned by the withdrawal of its pro-Government section, which was by no means small,

(c) would weaken the fanatic urge, which had given it strength so far.

XVIII

ESSENTIALS OF A SOLUTION (1945)

A search for a solution is necessary but it must not be lost sight of that solutions sought for in a hurry and implemented in impatience never bring any lasting solution of genuine difficulties. The Act of 1935 gave India institutional integrity, the Constitution, which it gave was both stable and elastic and had created a fabric of power.

Provincial autonomy under this Constitution has been restored. The general elections have given the mandate. India cannot be divided as easily as ardent Disruptionists think, nor, for the matter of that, freedom be denied any longer. A Nationalism, built on old tradition and a century of growth, has survived all attempts at a break up.

A lasting solution, apart from accidents, can only come when

(a) it will pay Britain to part with power,

(b) the Nationalist determination to have a nation-state with an appropriate international status is carried out,

(c) the League aspirations for the autonomy of Muslim Provinces is somewhat satisfied,

(d) the ambition of the Indian Princes for dynastic-perpetuation is fulfilled

These four being contradictory, any solution must necessarily proceed on the footing of a reasonable compromise of these claims and ambitions

(1)

The international situation has forced Britain to be ready to part with substantial power. It is no longer possible to retain it.

America, though sentimentally for Indian freedom, will only be helpful if her interests in Asia demand it. This will depend upon the situation in East and South-East Asia.

The spread of Communism in India has driven Britain to join hands with Nationalists. Looking to the situation in Europe, it may be taken for granted that this factor will operate in India's favour.

Mr Jinnah has lately given a shape to his Pakistan demands which Britain will not be interested in encouraging. It will not be surprising if the British withdraw their support from the League and come to a reasonable settlement with India as a whole.

In spite of persecutions in 1942-44, the Congress has emerged sufficiently powerful not to permit any constitution which it disapproves from functioning.

Attempts to satisfy Nationalism therefore may be expected.

At the same time nationalistic strength in India is sufficient to make Britain give up its policies and decide to part with power all at once. The conditions which I anticipated in 1945 in the Indian Deadlock have been fulfilled.

There is no possibility of India breaking away from the Commonwealth, or joining Britain's enemies in international matters for at least a generation or two.

The period of transition to full-fledged power is bound to be sufficiently long to enable Britain to revive from the after effects of the war and recapture or stabilise her hegemony over parts of Asia.

(2)

The policy of side-tracking politics, in the nature of things, has not succeeded. Vast economic plans must imply raising the standard of living of masses; which in its turn would mean

(a) industrialising India, and

(b) imposing protective tariff

If these were introduced British industry would suffer and the political urge would pass from Nationalism to Communism, labour becoming a tremendous factor of power. A Nationalist Government depending upon Britain for political strength and guidance in the early years would certainly benefit Britain commercially and reduce the possibilities of Communistic danger.

In the first edition in 1945 I wrote

“The policy of doles would not help Britain in her attempts to atomise the nation. The soldiers and war workers, however lavishly pampered as distinct groups, are of the people. Once they reap the harvest of their services, their education and standard of living will increase, they will begin to smart under the stigma of slavery in their own country, and disaffection against the British will drive them to strengthen Nationalism. The new officers are nationalistic to a man and realise all too acutely that they are fighting only to fasten British domination on their Motherland.

From these circumstances it appears clear that Britain must come to terms with Nationalism and give to India a substantial measure of freedom consistent with her retaining her strength and influence in the international sphere”

All this has come true in less than twelve months.

(3)

But the British desire to part with power can only bear fruit if Nationalism is content to accept as its immediate goal the objective of the Draft Declaration of March 30, 1942 with suitable alterations and not otherwise. The objective runs as follows:

“The object is the creation of a new Indian Union which shall constitute a Dominion associated with the United Kingdom and the other Dominions by a common allegiance to the Crown, but equal to them in every respect, in no way subordinate in any aspect of its domestic or external affairs”

An acceptance of this objective by a substantial section of Indian opinion would allay British fears

and forge the link of a stable alliance between Britain and India.

At the same time Nationalism cannot reconcile itself to any solution of India's problems unless

(a) there is one framework of power for the whole country,

(b) internal adjustments are so made as not to deny internal solidarity for all time, and

(c) the transfer of power to Indian hands is substantial and effective

Under any solution which does not fulfil these conditions Indian nationalism must liquidate itself

The case for a single political framework and a single centre with plenary power is unanswerable. With it alone India can be a great country with international influence.

An India with more political frameworks and centres than one will lead to a denial of India's future as a great country in the international field, introduce geographical, religious and political complications of a far-reaching character which will throw the country into a melting pot, and perpetuate British hegemony over warring States in India.

The different Centres possible are as follows

(a) The Centre which will draw its sanction from a majority party elected from joint electorates with reserved seats for minorities on the population basis

(b) The Centre as provided by the Act of 1935

(c) The Centre as suggested by Gandhiji in his letter to Mr Jinnah and called by him a Central or

nt Board of Control for 'safeguarding' defence, commerce, communications and other essential purposes

(d) The Agency Centre as suggested by Prof. Upthaland in his scheme of Regionalism, which will carry out the mandates of the four states, into which India is to be divided according to his proposals.

These Centres are arranged according to the degree of strength contained in each

A country of the magnitude and international frontiers like India simply cannot exist without a central Centre of power which can save it from external aggression and internal difficulties. A Centre under democratic government can only fulfil this condition if it has the support of the largest party in the legislature. If it is weak or divided it must rely upon foreign aid to supply the deficiency, which, in the case of India as things are, must necessarily be British.

The Centre A, as envisaged by the Hindu Mahasabha, is out of question in view of Indian conditions.

The Centre B as provided by the Act of 1935 possesses power drawn from two sources

the British Viceroy as possessing special responsibilities and as H. M.'s representative looking after the defence, and

the popular parties from whom his ministers would be drawn

As an interim arrangement it is a strong Centre B with the popular strength which India possesses today, the Constitution Act, with necessary changes,

possesses sufficient elasticity to attract the full strength which is now vested in the Government of India

The proposals of Gandhiji as placed before Mr. Jinnah in 1944 can be analysed as follows

(a) A Commission approved by the Congress and the League to demarcate the boundaries of the Muslim areas in which the Muslims are in an absolute majority

(b) A plebiscite of the Muslim areas to be taken for separation

(c) If the Muslim areas vote for separation, two states of Hindustan and Pakistan have to be formed after India is free from foreign domination

(d) The treaty of separation shall provide for the efficient and satisfactory administration of foreign affairs, defence, internal communications, customs, commerce, and the like which are subjects of common concern

(e) The administration shall be by a Central or Joint Board of the two states which will safeguard these subjects against all who may put the common interests in jeopardy.

Under this scheme, the Congress and the League having secured independence by a joint effort under the leadership of a National Government, will hand over the right and the power to the Central Board to exercise the authority in matters of common interests. This, therefore, is a Centre less compact than a federal Centre, but certainly quite as plenary within the limits of its jurisdiction. Its strength and

sanction will be derived not merely from the willingness of the two governments to maintain it but from the means of enforcing its will, which it will inherit from the National Government.

Out of the proposal for two Centres in the country, the proposals of Mr Jinnah and of the Draft Declaration of March 30, 1942, agree in that they are to function with the support of British arms. The Draft Declaration calls the two divisions of India two Dominions and leaves the option of seceding with each province. Mr Jinnah's scheme calls them sovereign States but all the same wants the British arms to maintain the two States till they learn to behave. Both the schemes therefore imply the perpetuation of British hegemony for maintaining the partition as also peace between the two States. Under both these, therefore, the common framework of power keeping the two Indias together and the maintenance of the internal frontiers as also the international frontiers will rest with Britain.

Rajaji's formula, in so far as it envisages two sovereign States working together by alliances and treaties, is unreal. No states have worked together or imposed upon themselves the rule of law without being disciplined in a framework of law which has the sanction of force behind it.

(4)

The choice, therefore, lies between

(A) A single Centre in which the British are associated with India's representatives for some time and which evolves conventions by which the British element loses the power in proportion to the increase

in the strength of the popular element to maintain itself, or

(B) A Coalition Centre, internally divided and unsupported by the sanction of a single strong party, which will maintain its cohesion as well as its power internally and externally, with the aid of the British Viceroy and British troops

(C) Two Centres which so far as their mutual relations and the common international frontiers are concerned must depend upon the strength and diplomacy of the British

In Centres B and C, British hegemony will be perpetuated and vital matters will be placed at the mercy of Britain. In the A Centre, by slow degrees, the British control will be reduced in proportion to the Indian strength to maintain it. There can, therefore, be no comparison between a Centre with a British Viceroy advised by Ministers supported by a strong party which will slowly reduce the Viceroy to a Constitutional monarch and a weak Coalition Centre which will be exploited for British purposes. When British advisers advise us to accept coalition centres, they know their implication, they will perpetuate British control. Two Centres, however compact, with Britain to keep the ring will only reproduce the days of the East India Company and the so-called independent states of that period.

Religious bond either of Hinduism or of Islam or for the matter of that of any religion is never so strong in the modern mind as to form a powerful group sentiment overriding the urge of territorial Nationalism. If Indian Nationalism is undermined by the concession of two Centres, provincial nationalism

will grow, letting loose forces of disruption and making British hegemony stronger. Other aspect of the case against Partition has been dealt with by Prof. Coupland in Chapter X of his *'Future of India'* and by Dr Shaukat Ansari in his *'Pakistan'*. If Nationalism with its concrete base of India and its spearhead, the National Centre, is destroyed the destiny of the country will be frustrated for centuries. If a choice has to be made, immediate patchwork solutions must be sacrificed.

XIX

A PROPOSED SOLUTION (END 1945)

The Act of 1935 provides a framework of power for the whole of India and all attempts at solution must lie in the direction of only modifying it to suit the needs of a solution. Provincial autonomy under the Act backed by a strong party is real, despite cracks at the expense of Congress ministries. The Centre, given a strong public opinion behind the ministers, is elastic enough to develop into a strong Centre responsible to India, if only a few statutory modifications are made. The provincial divisions, the composition of legislatures, the suffrage, the central framework, the Supreme Court, the Reserve Bank, and the vast unitary organisation which has become necessary to meet the war situation and the economic post-war reconstruction of the country should not be trifled with. Any such attempt will throw the whole political and economic fabric into confusion and lead, not to a solution, but to a disastrous outburst of disruptive forces.

(1)

One of the major difficulties of the situation is to

secure the consent of the Congress to work the Act of 1935 modified and implemented in the light of the objective of the Draft Declaration of March 30, 1942. Any such consent must necessarily imply a willingness on the part of the Congress to part company with the revolutionary elements, if need be. No organisation can function in power successfully if its primary object is to break the framework through which it is operating. If a solution, therefore, has to be found there is no escape from the following course:

I The Congress should decide to operate through the governmental machinery set up as a result of the solution. This implies the acceptance by the Congress of the objective of the Draft Declaration and going back to office,

II the Congress must be ready to work through the Constitution not with object of breaking it, but to enlarge its scope.

The Congress has taken steps to adopt this course, as the acceptance of the ministries and the statements of Gandhiji, Maulana Saheb, Sardar Vallabhbhai and Panditji indicate. The Indian situation, during the last twenty-five years, is the result of a clash between the National Will to Freedom and the British Will to perpetuate the subjection of India. The present deadlock is essentially a passing phase in the clash of these Wills, whatever may be our illusions about it. A solution must represent an effort to suspend the clash by a compromise. Any proposal of compromise which leaves out the British and the Congress is, therefore, sure to fail.

(2)

It must also be realised that some sacrifice must be made to Muslim sentiment, though no sacrifice

worth making will satisfy Mr Jinnah's present demands. In this connection certain circumstances cannot be ignored

The desire of Muslims for autonomy and for living a life of their own in some parts of India unfettered by Hindu influence has grown very keen in recent years.

The Pakistan Movement has opened the old sores of antagonism between the two communities and they will not be healed without some effective remedy

But a search of such a remedy must be consistent with the conclusions which are fundamental to any solution, viz.,

(a) the acceptance of the objective of Draft Declaration of March, 30, 1942, as the immediate goal by all parties to the solution,

(b) the acceptance of only one Centre for the whole of India with plenary power

The desire for autonomy and for consolidation on the part of Muslims carry with it the following implications

(a) The demarcation of predominantly Muslim areas, in which Hindu-Muslim tension is reduced to a minimum by leaving the smallest number of non-Muslims possible

(b) Giving to such areas the largest possible autonomy consistent with the two fundamental conclusions reached above.

(c) Liberty must be given to such areas to come closer together if they so desire it so as to evolve a common life.

The cry that the Muslims do not enjoy autonomy in certain provinces is incorrect. In N W F, Sind, the Punjab and Bengal the Muslims have a free hand within the limits of the provincial power. Their culture has unfettered scope for development. In a sense they form a Muslim zone of India. Ministerial rule prevailed there, Section 93, in Hindu provinces.

Parts of Bengal and the Punjab which are occupied by an absolute majority of Muslims, have to be constituted as separate provinces, if a Muslim Zone has to be demarcated. In that event the Rajaji formula, which provides for such a demarcation, is the only fair basis. The formula makes the division conditional upon several events. But the perpetual war of nerves in all spheres of life between the communities, makes it clear that the communities will not be able to settle down and escape the sense of frustration unless these provinces are divided even under the existing constitution. The Hindus of the Punjab and Bengal are averse to any such partition. But, if a large measure of autonomy has to be conceded to the Muslim Zone as a matter of appeasement, the Hindus of these provinces must decide for themselves whether they would prefer to remain in their home province without the active control from the Centre, or leave it to join their co-religionists in the rest of India.

Partition by plebiscite, however theoretically perfect, is a dangerous measure. It will imply a tremendous emotional upheaval, letting loose flood tides of passion and propaganda, and making the communal feeling worse. In view of the two fundamental conclusions which I consider inalienable, the Provinces

may be split into two as part of the solution by negotiation with leading Hindus and Sikhs rather than by a plebiscite

The zonal division as desired by Mr. Jinnah in so far as it includes a larger number of sudeten Hindus in Muslim areas is unjust and dangerous. It demands an unfair sacrifice on the part of the Hindus, who are as much entitled to consolidate Hindu areas as the Muslims are entitled to consolidate theirs. It does not proceed from a genuine desire to maintain Muslim solidarity but of having a large tract of land for Muslims to rule over. It will intensify the communal tension in the country.

(3)

Prof Coupland's Regions are devised to fragment India in British interests and will never allay Hindu-Muslim tension

In view of the fundamentals aforestated, the largest possible autonomy would imply that the Muslim areas when formed into separate provinces, should be at liberty to vote themselves out of the jurisdiction of the Centre in respect of the subjects in the Concurrent Legislative List of Schedule VII of the Act of 1935. In this event such areas will be controlled by the Centre only as regards the subjects in the Federal Legislative List. The Hindu provinces have a general desire to stand together and have a national Centre. There is no reason why they should be asked to give up the concurrent jurisdiction of the Centre because the Muslim provinces desire a larger autonomy

This leaves the question of the States Zone. The merger schemes will reduce the number of the State units. The States have also developed a greater cohesion on account of the Chamber of Princes. The fear of the Princes that they will be worse off under a federation, is imaginary and is fast disappearing on account of the inroads made on their power by the Paramount Power. On the contrary, in a federation, the autocratic control of the the Political Department will be replaced by the control of the Federal Centre of which the States will form an integral part, the dynastic prestige will be secured by the Instruments of Succession, and if necessary, a further guarantee can be given by which the Chamber of Princes can be given a definite place in the Constitution.

(4)

On the lines of the solution there will, therefore, be three Zones in India

(1) The Hindu Zone over which the Centre will have jurisdiction as to the subjects in the Concurrent List as also in the Federal Legislative List

(2) The Muslim Zone over which the Centre will have jurisdiction only as regards the subjects in the Federal Legislative List

(3) The States Zone over which the Centre will exercise jurisdiction if the States joined the federation

In order that the three Zones should have a recognised place in the Constitution, the Council of State should be constituted of equal representatives of the

Hindu Zone, the Muslim Zone and the States Zone, as against 116 members for the Hindu Zone, 33 for the Muslim Zone and 104 for the States as at present in that body.

This will temper the attitude of the Legislature which will continue to be formed as in the Act of 1935. The Assembly will represent the Union of India, the Council of State its three Zones. Till the States decide to accede, the two zones can constitute the Council

By the nature of this constitutional compromise four things would have been achieved

(a) The country will be recognised as formed of three Zones the Hindu Zone, the Muslim Zone, and the States Zone, to reflect the three group sentiments which dominate Hindus, Muslims and the States respectively

(b) The national bond which keeps them together will be represented by the Assembly and the Ministry which it will support

(c) The British Indian Muslim Zone and the States Zone will have as great a measure of autonomy as is consistent with a Federal Centre.

(d) The Upper House will recognise the constitutional difference between the three Zones.

A fear is being entertained by the League and the Princes that the autonomy of the Muslim Zone and the States Zone will be interfered with by the Centre. This fear can be removed if, like the Senate of U.S.A., the Upper House, in which the three Zones will be equally represented, is vested with legislative and executive authority in federal matters

of vital importance. It can then safeguard the interests of Zonal autonomy against the Central executive.

The Senate in U S A is not a second chamber; it has a distinct primacy in the democratic system of that country. It is an organ of government. It can propose or amend financial bills. Important external affairs like treaties can be negotiated only by the Executive with the concurrence of 2/3 of the Senate. Its advice and consent is necessary for nominations to important posts like those of ambassadors and judges of the Supreme Court.

If the Council of State in the Indian Constitution is made the co-ordinating agency of the three zones with wide powers, there would be sufficient safeguard against any encroachment on the autonomy of the Zones.

(a) The Upper House will be a second chamber with regard to all matters except those which are essential for maintaining the autonomy of the zones and for safeguarding their distinctive interests,

(b) the Executive will be responsible to the Assembly and will be strong with the strength of the party in power in that house,

(c) the power of the Executive in distinctive matters affecting a particular zone will be tempered by the Upper Chamber in which each of the zones will have an equal voice.

If the suggestion is to be rendered workable the size of the Upper Chamber must be reduced to such small proportions as to enable it to act with swiftness.

and secrecy The American Senate had 26 members only for this purpose to start with

(5)

The proposals may now be summarised

Britain must implement its promise made by a formal Declaration in the Parliament that H. M.'s Government intends bringing into existence a Union of India which will constitute a Dominion, associated with the United Kingdom and the other Dominions by a common allegiance to the Crown, but equal to them in every respect, and in no way subordinate in any aspect of domestic or external affairs

Britain has already created a somewhat healthy atmosphere by a general release of political prisoners and political detenus and by restoring the normal constitution in the Provinces to which Sec 93 of the Act had been applied They must now re-constitute the present Executive Council of the Viceroy so as to include therein a majority of members pledged to carry out the Compromise Formula and set up constituent assembly to suggest modifications in the Act of 1935 which would carry out the Declaration aforesaid and such other modifications as may be necessary to carry out the Compromise Formula

The component zones of the Union of India must be

- (i) the Hindu Zone;
- (ii) the Muslim Zone,
- (iii) the States Zone

For the purpose of the division of the country into Zones the contiguous areas in the Punjab and Bengal which have an absolute majority of Muslims should be formed into separate provinces

The areas of those Provinces in which the Muslims are not in an absolute majority should be formed into separate provinces unless the non-Muslims in such districts decide to be included in the Muslim Zone with suitable safeguards

The Provinces of the Muslim Zone, by a majority vote in their respective Legislatures, should be free to accept or reject by an absolute majority, the provisions of the Act which give the Central Legislature power to make laws in respect of the subjects in the Concurrent Legislative List of Schedule VII of the Act. On such decision suitable changes shall be made in the Act modifying the said provisions accordingly.

The Council of State should be constituted of not more than 45 members out of which

(a) 15 members should be elected by an electoral college consisting of all the members of all the Provincial Legislatures in each of the Hindu and Muslim zones by the method of a single transferable vote,

(b) 15 members should be elected by the Assemblies of such of the States as have acceded to the Federation

By Statute the Executive should be bound to exercise some powers only when supported by a majority vote in the Council of State e g

(a) the appointment of Judges of the Supreme Court, Ambassadors and High Commissioners and

other foreign representatives and the Directors of the Reserve Bank;

(b) the alteration of the boundaries of the Provinces and States,

(c) the making of any changes in the Constitution Act,

(d) the altering of the Fundamental Rights of citizens

No bill relating to communal matters should be passed by the Central Legislature unless it has received the support of an absolute majority of the Council of State

Financial Bills could also be introduced or amended by the Council of State

Six members of the Council of State should be re-elected every two years in equal proportions from each zone.

Ten years after this Compromise Formula is incorporated in the Act and is brought into operation the constitutional problems should be reviewed by a Constituent Assembly of 55 members elected by the Assembly and the members of the Council as a single house

The Compromise Formula must be accepted as final during the Transition period, all parties to it pledging themselves to maintain its integrity

A NEW PAGE IN WORLD HISTORY

The year 1946 has brought its new crop of world problems for the leading nations of the world

An undeclared war on the diplomatic front is being waged between the Anglo-American Combine on the one hand and the U S S R on the other In Europe they are quarrelling over Germany, Italy and Greece In France, the Pro-Russian Communists are struggling for supremacy From Finland to Trieste there is a central frontier running right across Europe on which problems are becoming more complicated In the Far East the U S S R is trying to have a finger in the Japanese pie It also supports China's Communists against her national government

(1)

But more than that, the Middle East has been converted into a cockpit for the rival ambitions of these two world combines Power politics are still largely motivated by intense nationalisms The fear of military insecurity dominate international diplomacy as much as in the days of Metternich, perhaps more The U S S R had developed an economic and political imperialism far superior in technique to any of the older imperialisms It also recommenced its world campaign to foster the ideological conflict between capitalistic and collectivistic economies

The United Nations' Organisation shortly the U N O. is a very weak instrument for the attainment of collective security. It is mainly a league of states with no power to enforce decisions In the matter of withdrawing the armed forces from Iran, the U S S R.

with very little effort exposed the pitiful helplessness of this much boosted international organization. The USSR has marched from one triumph to another almost in all cases at the expense of Britain.

Nowhere have the problems been as acute as in the Middle East. This 'Middle East' is a very vague term, but its frontiers now are much more extensive than what ordinary people imagine. Its western boundary coincides with the Cyrenaican-Egyptian frontier. On the east, it touches the western boundary of Afghanistan. In north it coincides with the Russo-Turkish frontier. The southern boundary goes right down to Egyptian Sudan and Ethiopia. They include Sudan, Ethiopia, Egypt, Eritrea, Somaliland both British and Italian, Saudi Arabia, Yemen, the Arabian and Persian Gulfs British Protectorates, Palestine, Transjordan, Lebanon, Syria, Turkey, Iraq and Iran. These boundaries include a seething mass of political ambitions, rival nationalisms and racial conflicts.

This region has suddenly become all important. Its strategic position is vital to British and American trade and communications. The Suez Canal, the pivot of British world power in Asia, is its very heart. Through it lies the British road to India and the Far East. It is the only region which can give to the USSR its coveted outlet to warm waters. The area is rich in natural resources, particularly in oil. It is said to possess about 30 per cent of the world's estimated oil reserves. It also provides a large potential market for consumer goods.

The Middle East has also grown nationalisms. There is, first, the Turkish nationalism; next, the

Iranian nationalism. Then there are minor nationalisms like those of Ethiopia, the Armenians, the Kurds and the Azerbaijanis. The most volcanic of them is the Arab nationalism. It is led by Effendis, the large landowners and Muslim religious leaders who dream in terms of a Pan-Islamic world domination. No doubt today it is a highly disorganised force expressing itself in warring sub-nationalisms. But, of late, it has found a rallying point in Anti-Jewish agitation. The Arab League, the creature of British diplomacy, is one of its consolidating factors. But more virile than all these nationalisms is the concentrated progressive nationalism of the 600,000 Jews which is supported by the closely-knit millions of Jews in the rest of the world. The Anglo-American Commission's Report has thrown a bomb in the already restless Arab World. America openly favours Zionism. Britain dares not part from the Arabs. U.S.S.R. is waiting to intervene.

The whole of this region has for many years been dominated by Britain. Its interests are strategic as well as economic. Few people in India consider the Indian problem on the background of British interests in the Middle East, but it is the troubles in that region which have brought India nearer to independence.

Egypt since the Treaty of 1936 has been friendly to Britain. Ethiopia is under British influence. Aden, Eritrea and Somaliland (both British and Italian) are again part of British dominions. Bahrain, Kuwait, Saudi Arabia and Palestine are controlled by Britain under one or the other of legal relations which imperialism assumes. Iraq has a special Treaty with Britain, which enjoys valuable concessions there. Britain

is dominant in South Iran, and both the Anglo-Iranian Oil Company and the Abadan Refinery in this area are British.

The American interest in the Middle East is small, though potentially large. The American air lines and shipping companies want special guarantees in this region. America naturally wants a share of its trade. Several companies are operating in one or the other of these States. There are American Universities in Syria and Egypt, and Zionism gives U.S.A. a direct interest in Palestine in the future of the Arab world.

The U.S.S.R. has very little present interest in the Middle East, but Moscow knows that unless this Anglo-American fortress is broken through, its dreams of a world empire are not likely to materialise. She wants to coerce Turkey into giving up the exclusive control of the Dardanelles. It wants an access to the Mediterranean and if possible to Arabian Sea. Russian diplomatic agents are busy among the Arabs enlisting their goodwill against Britain. In Palestine they support orthodox Catholicism. In the World Trade Conference they supported Zionism. These conflicting loyalties are only intended to create trouble for British hegemony in Middle East.

In Iran, however, Russia recently found the weakest link in this Middle East chain. In 1942 she agreed to respect the territorial integrity and sovereignty of Iran. In November 1945, however, she strengthened the *Tuda* Party and supported the open revolt in Azerbaijan. She declined to keep her promise of withdrawing the troops by March 2nd, 1946. Russia is now in direct conflict with Britain in the

Middle East By her desire to control the Dardanelles she threatens British control of the Eastern Mediterranean. Her recent *coup* in Iran has created a situation which would threaten India on the one side and the British controlled Iran on the other Her interest in the Arab-Jew controversy is neither philanthropic nor academic

To these problems the British Labour Party has brought to bear a foresighted statesmanship. The Arab world is medieval, and is still under British influence National India is overwhelmingly democratic National Egypt is also pro-British According to the latest British policies, India and Egypt, as free and national states, would provide an axis round which not only the Middle East but the whole of South Asia could be relied upon to revolve. A democratic federation of free nations appears to enlightened British Labour leaders the only guarantee against Russian aggression Led by this vision, the British government decided to convert India from a sullen and restless bondsman into a free and trusted friend.

(2)

The Moscow approach to India is the result of its world ambitions Of all the forces operating upon the Indian situation the most dangerous is the Moscow approach USSR has the best organised governmental machinery in the world trained to direct itself on any point at a given moment, and is now concentrating on a world imperialism of the Soviet brand. Its approach to India today takes three forms

First, to befriend Indian Independence in words in order to discredit Britain;

Second, to break through the Middle East in the name of *cordon sanitaire*,

Third, to use Indian Communists to disrupt the National Movement

Unless India and Britain realise the importance of the Russian attitude, India and with it the world, must go through a welter of chaos, leading ultimately to the wicked regimentation of life under Soviet control. In India, there is so much of ignorance about Russian aims and technique, that at this juncture the imminence of the danger is not realized.

U S S R has two aspects. In one of its aspects it poses as "a firm bulwark of universal peace and security, a friend and protector of all other freedom-loving nations." One has to read the *New Times*, a great instrument of Russian propaganda, to be convinced of it. If you read the other organ of U.S.S.R propaganda *The International Literature*, one would be elated equally to read the inspiring admiration of Voltaire. "Voltaire's name is the synonym of reason and it is immortal as the reason of man is," said Vladimir Komarov, the President of the Academy of Sciences on the 250th anniversary of Voltaire. "We remember," he continues, "that the great principles of reason, liberty and progress are the fount of all modern civilization, that in them democracy, science and socialism have their roots. And knowing it, we cherish the memory of Voltaire, the apostle of reason and liberty, with gratitude."

These are words. The deeds are different.

The new freedom of Poland is interesting. It is anything but democratic. It really knows no freedom.

whatsoever. The Provisional Government of National Unity in Poland, for instance, is composed of 18 Communists bound to Moscow. The only ministers who count are members of the Comintern of long standing, subjects of a foreign country, agents for Russia for years. They are Bierut, the President, a Soviet citizen and worker in the Secret Police since 1918, Gomolka, Deputy Prime Minister, also a foreign citizen, and Rakdiewics, minister of Public Security, a high officer of the Russian Political police, the NKVD, the Soviet Gestapo. In every ministry it is not the minister who decides but the agents of Rakdiewics who takes his orders from Moscow. This Government determines the structure of Poland by new laws. Councils are appointed to exercise high authority of the Polish Republic, but nobody knows by whom they are appointed. Parties are called 'democratic' and only are permitted, by whom, according to what standard, no one knows. There is no reign of law. The whole legislative and administrative power is vested in these councils on the Russian Soviet model. They are controlled by the Secret Police. This Polish Government has entered into disastrous treaties with Russia. Reparations to Poland have to go through Russia and often have to be returned to Russia on a price lower than the cost price. Even the UNRRA supplies sent to Poland are sold out to Russia or to use the Communist phraseology, 'lent'. Democratic parties are nothing but the ramifications of the Communist party ruled by the Moscow Agency.

Peasants of Poland resisted Communist tactics. The result has been that their leaders have been murdered, shot by unknown persons in open street. One

peasant leader, respected, loved and influential, was captured in his home by persons in uniform, taken away, and found shot a few days after This is democracy of the Communist brand

The ruling power in Poland is the Russian NKVD It works through the NKVD, the Gestapo of Poland Sudden and secret arrests of suspects is the rule of the day Behind the security authorities is the Peoples' Militia into which well-known criminals have been admitted They spy upon and terrorise citizens Judges are ordered not to discover truth but to serve the interest of the State All lawyers who are guided by the older notions of truth and justice are threatened with expulsion from the bar Concentration camp, regular prison, deportation and execution are the regular processes The arrested are taken to Russia on foot Whole villages which opposed are burnt down, the population massacred

A new education is afoot in which Poland is ridiculed, the might of Russia is praised, religion is ridiculed, opposed and oppressed

Democracy and Communism are contradicted in terms

The same camouflage is pursued by the Indian Communist Party in Bombay It is compelling its members to complete regimentation A member of the Communist Party, once highly placed, who recently left it, has openly charged the Polit Bureau of the Communist Party of India (CPI) with attempts at savage regimentation

"From public platforms, for the last several months in more than one province, I have been de-

manding publication of this Secret Joshi-Maxwell correspondence," writes Soli Bathwala "In this correspondence I assert- is a letter which Joshi wrote as General Secretary of the CPI in which he offered 'unconditional help' to the then Government of India and the Army G.H.Q to fight the 1942 underground workers and the Azad Hind Fouj of Subhas Babu, even to the point of getting them arrested These men are characterised as "traitors", "fifth-columnists", etc Arising from this letter is another, which offered to help retain the morale of the Indian soldier, by performances staged by the I.P.T.A in the front lines in Burma and Assam when sons and daughters of the soil will sing, dance and recite in the language of the sepoy himself, with the aid of folk music, so that he will be convinced that he is fighting a patriotic war "

"P. C. Joshi attempted to palm off to Maxwell that the I.P.T.A was an organisation controlled by the CPI What would have happened if the deal had been made? You (non-communists) would have been quickly squeezed out of the I.P.T.A along with other Nationalists, who would have protested against this policy And "Party discipline" would have been the handle that would have been used by the leadership of the CPI to make your Communist colleagues in the I.P.T.A do the dirty job "

"I assert with all the responsibility of a man who has been in politics for the last sixteen years, that the Communist Party never permits its party members to work in any organisation with a philanthropic motive or a humanitarian urge Every day's work is scrutinised and directed, whatever organisation you are deputed to work in Some of your Communist col-

leagues in the I.P.T.A. have chosen the I.P.T.A. work as a free person. He or she is under the strictest discipline of the member-in-charge of the I.P.T.A. in the Central Committee of the C.P.I. and has to continuously take guidance from him even to the point of seeking his consent to the choice of a play to be staged

"You possibly do not know that one of the grounds on which I severed my connection with the C.P.I. was that the Party leadership claims to control not merely the public life of Party members but their private lives also. If you enquire amongst your I.P.T.A. Communist colleagues, you will find cases where marriages have been banned, divorces or separations ordered, abortions enforced and so on.

"I have been out of touch with the I.P.T.A. and its work for the last one year or so. I do not know if you have P. C. Joshi or N. K. Krishnan on your Executive. But not one of your Communist colleagues can endorse a single resolution or move a single amendment in any discussion, however secret that your executive may undertake, before having received the sanction of the C.C. of the C.P.I. If you privately exchange your views with any party member, he or she is bound to report them to the cell, under pain of greatest party displeasure, censure if it is not done promptly and fully. This applies to party members who are open and known, as well as those who are not yet disclosed openly as such. They may act in your plays or sell the tickets for your shows, or merely sweep the floor of your office. They all function as a regular cell and take decisions under the party boss concerned before they come to your executive committee meetings.

"Whether you work in the political fields or the trade union field or the kisan field or the student field, or in so-called "non-political" or "cultural" organisations like the I P T A. or the Friends of the Soviet Union, the party boss directs your activity and decides the tune that every member shall play."

The Communist Party of India lost considerable popularity with the Indian workers when they betrayed the "Quit India" Movement and became an instrument of British Government. The enquiries made by the Working Committee of the Congress and the correspondence which Mr. Batliwala claims to have seen in the archives of the Communist Party, establish that the Communist Party came to an agreement with the Home Department of the Government of India with a view to betray the National Movement. That the Communist Party in India is merely an instrument of Moscow is undoubted.

Three years ago the Communist Party in India suddenly issued orders to its Muslim members to leave the party and join the Muslim League. The object was to capture power in the League and to strengthen the demand for Pakistan. Mr. Jinnah at one time told the Communist Party to keep 'hands off the League'. But he needed efficient workers. The Communist Party gave them. And now they are in position in the League providing a steel-frame for the disruption of India. In the recent troubles in Lahore against the Coalition, the Communists were in the forefront.

The Communist Party has made no secret of its love of Disruption. Why is it so anxious to divide

India? Or rather why is Moscow interested in dividing India?

The activity on the Indian front has to be considered in the light of the crisis in the Middle East

Russia at present possesses the largest military force on the land area of Asia. They are in Central Asia. They occupy Azerbaijan. They are reported to be only a few miles from Teheran. They are all over Manchukuo. The Turks and Arabs have given up Iran as lost. The Arabs are now endeavouring hard to create a defensive block of Afghanistan, Iraq, Syria, Transjordan and Lebanon to collaborate in a joint military defence against Russia.

The treatment of Azerbaijan should be an eye-opener to India. Azerbaijan is one of the most vital productive areas in Iran. Its surplus supplies the deficit areas elsewhere. Persia, deprived of this most fertile area with common land frontiers with U.S.S.R. cannot possibly continue an independent existence. The absorption of Iran into U.S.S.R. appears to be only a question of time.

How was this done? I wish our people studied the method by which this was done. The local officials who were not prepared to subserve Russia were forced to leave this area. Persian Government was not allowed to replace them by its own officers. The authority of the rest of the Persian officials was undermined by the high-handed behaviour of Russian Officials. The local leaders were exiled or cowed into submission.

The local branch of *Tuda* or which is euphemistically called the "Democratic Party" began to terror-

rise the local inhabitants. It penalised who opposed it or refused to join it. Its ranks were swollen by adventurers and Russian trained partymen and immigrants from outside Persia. Russian troops held the ring when the *Tuda* party dealt with its opponents. Persian Government was refused permission to reinforce or replace their troops, and the Central Government of Iran was accused of fascist tendencies. The *Tuda* press was freely quoted in the Russian Press as representing the popular press of Persia.

Until recently *Tuda* consisted of about 200 armed persons. But the policy of Russia enabled it to spread disaster in the province. Gradually *Tuda* attracted a large membership. Azerbaijan was virtually a closed area and the terrorised elections led to the election of an Assembly which obeyed the mandate from Russia and the 'Democratic' Government of Azerbaijan was set up. Russia would not allow any reinforcement to proceed to Azerbaijan on the plea that that would constitute an interference in the internal affairs of a country. Now she has announced that if Azerbaijan asked to be incorporated as a Soviet Republic she cannot refuse such a request. The 200 armed persons slowly became a democratic government expressing the will of the people of Azerbaijan.

This Province has played a great part in Iran's national life. It was the centre of modern Persian culture. Now Azerbaijan is stated to be Russian to the core. Russian policies have made it non-Persian and the disruption of the country has had practically the effect of depriving Iran of her freedom.

Those who have eyes to see will see in this the writing on the wall. The disruption of India will ulti-

mately end in the destruction of the Indian National Freedom.

This is the Moscow approach to the Indian problem.

(3)

Lord Wavell was the one man who was all along conscious of the international weakness of Britain if India had not a stable government. On assuming office in 1944, he began his efforts for solving the deadlock. On March 21, 1945, the British Government in England announced that they had invited Lord Wavell to England for personal discussions. The Viceroy left for London on March 23, and returned to India on June 5, when he placed before the public certain proposals usually called the Wavell Plan.

The Wavell Plan provided for

- (1) The reconstruction of the Executive Council by the Viceroy with Indian representatives of political parties with parity for caste Hindus and the Muslims;
- (2) The acceptance by such members of the Executive Council of the policy of wholehearted co-operation in the war against Japan;
- (3) The continuance of the Commander-in-Chief as the only non-Indian member of the Executive Council as War Minister

Then followed the release of the members of the Working Committee, Gandhiji having already been released on May 6th, 1944

On June 25, a conference of twenty-one leaders was convened at Simla but dispersed on July 14, with-

out achieving any result. The reason of the breakdown was Mr. Jinnah's insistence that the Muslim League alone should nominate all the Muslim members on the Viceroy's Council.

On August 21, Lord Wavell announced general elections to the Legislatures, Central and Provincial. He then went to England and had consultations with the Labour Government from August 26, to September 13. On September 19, Lord Wavell broadcasted the decisions of the British Government:

- (1) To promote, in conjunction with leaders of Indian opinion, an early realisation of full self-government in India;
- (2) To hold elections to the Legislatures,
- (3) To hold consultations with the representatives of the Provincial Legislatures as a preliminary to setting up a Constitution-making body if the Cripps Proposals were accepted;
- (4) To hold consultations with the States as to the means of their participation in the Constitution-making body;
- (5) To reconstitute a new Executive Council having the support of the main Indian parties after the results of the elections were known

The elections were then held and on December 4, the proposed visit of the Parliamentary Delegation was announced. The Parliamentary Delegation left Britain on January 2, 1946 made useful contacts while in India and left these shores on February 8 having come to the conclusion

- (1) that all sections and parties in India desired an immediate declaration of Independence,

- (2) that the food question was urgent,
- (3) that an immediate declaration of policy was necessary.

On February 19, Mr Attlee, Prime Minister, declared in the House of Commons that the British Government had decided to send to India a special mission of Cabinet Ministers consisting of Lord Pethick-Lawrence, Secretary of State for India, Sir Stafford Cripps, President, Board of Trade and Mr. A. V. Alexander, First Lord of Admiralty. In association with the Viceroy it was to discuss problems arising out of the decision to establish full self-government in India. The material part of Mr Attlee's declaration are as follows

- (1) What form of Government is to replace the present regime is for India to decide.
- (2) Our desire is to help them (Indians) to set up forthwith the machinery for making that decision.
- (3) If India elects for Independence it will be for us to help to make the transition as smooth as possible
- (4) We must not allow a minority to place a veto on the advance of the majority
- (5) Our duty is to get the machinery of decision set up and that is the main purpose of the Cabinet Mission and the Viceroy
- (6) We also want to see set up an interim government for the period which is to elapse for working out the new constitution, commanding the greatest possible support in India

- (7) The statesmen of British India should be able to work out a solution of the problem of bringing together these great separate parts (the Indian States) and we must see that the Indian States find their part in it

The Congress accorded welcome to this announcement and appointed a sub-committee consisting of President Maulana Azad, Pandit Nehru and Sardar Vallabhbhai Patel to negotiate with the Mission. The Muslim League was critical of the Prime Minister's declaration that a minority could not place a veto on the advance of the majority. The rest of the country was jubilant.

The Cabinet Mission reached Delhi on March 24. Lord Pethick-Lawrence reaffirmed the Mission's purpose by saying "Our delegation will not be concerned with the question whether India shall determine her destiny that is already decided but with how she will do so."

Then followed interviews between the members of the Cabinet Mission and the Viceroy on the one hand and the Indian political leaders on the other. After their Easter trip to Kashmir, the members of the Mission resumed their informal contacts in a conference held at Simla on and after Sunday, May 5, between the Cabinet Mission and the Viceroy, four representatives of the Congress, which in addition to the three members already appointed included Khan Abdul Gaffar Khan, and four members of the Muslim League. The correspondence now released shows that the Conference was a failure from the first. There were, however, two gains. First, Mr. Jinnah was

brought round to accept a Union Centre for the whole of India including the States, Second, whole India except the Muslim League stood for a strong Centre though its powers were to be restricted only to subjects essential to such strength

On May 16, the Cabinet Mission published their recommendations. These recommendations find a place in the appendix together with the ancillary papers. The result of these proposals coupled with Mr. Attlee's historical announcement may be summed up as follows

I. Britain has conceded to India

(1) a right to independence,

(2) a right to determine her own Constitution

II Britain has taken away from the Muslim League the veto with which it had been invested by the British Government under Mr. Amery's time

III. India is to have a Centre strong enough to enjoy and maintain the international status of an independent country.

IV The Provinces and the States through their existing machinery have to form a Constituent Assembly free to determine the future Union Government of India and its Constitution with power to enter into a treaty with Britain

V An Interim Government for British India is to be immediately established under the existing Constitution to conduct the administration in the interval and implement the constitutional proposals

These are far-reaching changes. They provide a fair workable basis on which India can, within a few

months, become a strong and free state. These decisions are the outcome of the world situation, the broad-minded statesmanship of the Labour Party, and the policies which Gandhiji has followed since 1919. If Britain keeps to these pledges she will have no reason to repent for this magnificent gesture of political far-sightedness. It has removed Pakistan out of the picture. It will make India free. It will convert British Commonwealth into a great democratic world federation of all races. It will stabilise Asia and through it the world.

In this way will have been opened a new chapter in world's history.

(4)

What can be said of the general outline of these decisions cannot be said of the detailed proposals for carrying them out. The Cabinet Mission's formula is formed not on the basis of plebescite or veto. It is the result of a weak desire on the part of British statesmen to please the Congress and the League and of a subconscious bias in favour of Prof Coupland's sinister proposal for regional disruption of India. But such a compromise sought to be enforced by a third party leads nowhere.

The detailed proposals have, therefore, to be judged from two standards.

First, whether as a result of these proposals, India will have a strong Centre with plenary powers,

Second, whether the intermediate arrangement will lead to a just adjustment of the claims of the Provinces and the communities.

In order to consider whether the proposals fulfil the first criterion three of them need be considered, viz

(1) The Union Government will have Executive and Legislative powers over Foreign Affairs, Defence and Communications, with power to raise the necessary finance.

(2) A major communal issue has to be decided only by a majority of the representatives present and voting of each of the two majority communities as well as the majority of the members present voting

(3) The Constitution of the Union has to be reconsidered at the instance of a majority of vote of the Legislative Assembly of any Province after 10 years.

The formation of one solid Hindu group and two predominantly Muslim groups in the Constituent Assembly will strengthen Disruptionism and disintegrate the all-India basis of Nationalism.

The Centre will have no power to enforce a Customs Union; to enforce a common economic policy, to maintain the operation of Criminal Laws, or to maintain or enforce fundamental rights over all the citizens of India. This will have the disastrous effect of the Provinces or their Groups becoming separate units in course of time

The first hurdle to cross in the Constitution-making Body will be the point whether the Union Legislature and the Executive should have a national representation or a representation by Groups, and in equal or unequal proportions. If this is treated as a major

communal issue the Constituent Assembly will break up on this most vital of questions without any power to resolve the deadlock

A second difficulty could have been caused by the Constitution-making Assemblies for the Groups having taken their decisions first. They would have all developed isolationist tendencies, and decided upon their Group Governments, and would naturally like to reduce the Union Centre to a weak minimal centre, cherished by Prof Coupland

Such a Centre will be divided on the policy of the Army, and of Foreign Affairs, will have to depend on the mercy of the Groups for the financial needs; will have no power, in an emergency, to feed the country, to plan an All-India Defence, to solve a deadlock, to enforce a decision or to take a bold stand in international affairs

There is not the least doubt that by these detailed proposals Assam and the Hindus and Sikhs of the Punjab have been delivered bound hand and foot to the separatist ambition of the Muslim League. It does not require more than a little mathematics to see the justification for this criticism. The Group Constitution-making Assemblies have been conceded full powers to determine the future structure of the provincial constitutions and are under no obligation to respect communal issues as in the case of the General Constitution-making Assembly.

The General Constitution-making Assembly will consist of 292 representatives of British Indian Provinces. In the Constitution-making Assembly of the

C Group (Bengal-Assam) Assam will have 10 representatives out of 70. In all there will be 36 Muslims and 34 non-Muslims, which may contain an element of Europeans. It is, therefore, possible to set up a government for this Group which would have a perpetual Muslim majority, which may be flagrantly undemocratic, which may not provide for fundamental rights, which may deny to Hindus a fair and legitimate representation, which may conceivably contain provisions so worded as to make it impossible for Assam to come out of the Group even if a majority of Assamese wanted to do so.

In the North-Western B Group the position will be still worse. Its Constitution-making Assembly consists of 24 Muslims, 9 Hindus, and 4 Sikhs. There is nothing to prevent it, by a majority vote, to take over a large number of subjects from the Province and deny all communal safeguards.

The only safeguard which was given in the original statement of the Cabinet Mission that "the Provinces should be free to form Groups with Executives and Legislatures and each Group could determine the Provincial subject to be taken" is now taken away. The gloss of Lord Pethick-Lawrence that "the Provinces automatically come into sections A, B, C" if carried out, would deprive Assam and N.W.F. of their residuary power at the start and reduce the Hindus and Sikhs in the Punjab and the Hindus in Bengal and Assam into nonentities.

The next vital question is of the interim Government. By its recent statement the Cabinet Mission laid down that the Crown Paramountcy over the States

will continue till the Union Government is formed. The strength of the Interim Government as an instrument of implementing the constitutional proposals will depend upon, first, whether the Viceroy maintains his veto or not; and second, whether the constitution of the Interim Government is so loaded in favour of anti-national forces that Nationalism is placed at a disadvantage.

A balance sheet of these proposals, therefore, can only be struck on the basis of Nationalism.

If Nationalism has gained by the concession of a right to (a) independence, (b) self-determination and (c) unity in the international sphere, it has lost, and lost heavily by

- (a) the creation of power groups on a religious basis;
- (b) the sacrifice of the provincial freedom, in the case of Assam and N.W.F.P., to stand away from anti-national ambitions;
- (c) the emphasis on communal vote so far as the National Constituent Assembly is concerned

These losses will certainly counter-balance the gain; the Nation's independence and international strength will be at the mercy of the group-nationalisms, artificially brought into existence by the British.

So long we were fighting Prof. Coupland in words, now it will be in action.

National India will still have to fight through these schemes to its destiny.

APPENDIX 'A

STATEMENT OF THE CABINET MISSION AND LORD WAVELL, THE VICEROY.

May 16, 1946.

1 On March 15 last, just before the despatch of the Cabinet Delegation to India, Mr Attlee, the British Prime Minister, used these words

“My colleagues are going to India with the intention of using their utmost endeavours to help her to obtain her freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide, but our desire is to help her to set up forthwith the machinery for making that decision

“I hope that India and her people may elect to remain within the British Commonwealth I am certain that they will find great advantages in doing so

“But if she does so elect, it must be by her own free will The British Commonwealth and Empire is not bound together by chains of external compulsion It is a free association of free peoples If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible”

2 Charged in these historic words the Cabinet Ministers and the Viceroy have done our utmost to assist the two main political parties to reach agreement upon the fundamental issue of the unity or division of India After prolonged discussions in New Delhi we succeeded in bringing the Congress and the Muslim League together in Conference at Simla There was a full exchange of views and both parties were

prepared to make considerable concessions in order to try and reach a settlement but it ultimately proved impossible to close the remainder of the gap between the parties and so no agreement could be concluded. Since no agreement has been reached we feel that it is our duty to put forward what we consider are the best arrangements possible to ensure a speedy setting up of the new constitution. This statement is made with the full approval of His Majesty's Government in the United Kingdom.

3 We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India and an interim Government may be set up at once to carry on the administration of British India until such time as a new Constitution can be brought into being. We have endeavoured to be just to the smaller as well as to the larger sections of the people, and to recommend a solution which will lead to a practicable way of governing the India of the future, and will give a sound basis for defence and a good opportunity for progress in the social, political and economic field.

4 It is not intended in this statement to review the voluminous evidence that has been submitted to the Mission, but it is right that we should state that it has shown an almost universal desire, outside the supporters of the Muslim League for the unity of India.

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India, since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule. This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, and economic or other interests.

6 We, therefore, examined in the first instance the question of a separate and fully independent sovereign State of Pakistan as claimed by the Muslim League. Such a Pakistan would comprise two areas, one in the north-west consisting of the Provinces of the Punjab, Sind, North-West Frontier and British Baluchistan, the other in the north-east consisting of the Provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principal of Pakistan should first be acknowledged. The argument for a separate State of Pakistan was based first, upon the right of the Muslim majority to decide their method of Government according to their wishes, and secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six Provinces enumerated above would be very considerable as the following figures show

North-Western Area—		Muslim.	Non-Muslim
Punjab	.	16,217,242	12,201,577
North-West Frontier Province	.	2,788,797	249,270
Sind	.	3,208,325	1,326,683
Br Baluchistan	.	438,930	62,701
		22,653,294	13,840,231
		62.07%	37.98%
North-Eastern Area			
Bengal	33,005,434	27,301,091
Assam	.	3,442,479	6,762,254
		36,447,913	34,063,345
		51.69%	48.31%

The Muslim minorities in the remainder of British India number some 20 million dispersed amongst a total population of 188 million

These figures show that the setting up of a separate sovereign State of Pakistan on the lines claimed by the Muslim League, would not solve the communal minority problem, nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan, can equally in our view be used in favour of the exclusion of the non-Muslim areas from Pakistan. This point would particularly affect the position of Sikhs.

7. We, therefore, considered whether a smaller sovereign Pakistan confined to the Muslim majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from Pakistan of (a) the whole of the Ambala and Jullundur Divisions in the Punjab, (b) the whole of Assam except the district of Sylhet, and (c) a large part of Western Bengal, including Calcutta, in which city the Muslims form 23.6% of the population. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these Provinces. Bengal and the Punjab each has its own common language and a long history and tradition. Moreover, any division of the Punjab would of necessity divide the Sikhs leaving substantial bodies of Sikhs on both sides of the boundary. We have therefore been forced to the conclusion that neither a larger nor a smaller sovereign State of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative, economic and military considerations. The whole of the transportation and postal and telegraph systems of India have been established on the basis of a united India. To disintegrate them would gravely injure

both parts of India. The case for a united defence is even stronger. The Indian armed forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian Army and would entail the gravest dangers. The Indian Navy and the Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian States would find in associating themselves with a divided British India.

10. Finally there is the geographical fact that the two halves of the proposed Pakistan State are separated by some seven hundred miles and the communications between them both in war and peace would be dependent on the goodwill of Hindustan.

11. We are therefore unable to advise the British Government that the power which at present resides in British hands should be handed over to two entirely separate sovereign States.

12. This decision does not however blind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which Provinces would have full autonomy subject only to a minimum of Central Subjects, such as Foreign Affairs, Defence and Communications. Under the scheme Provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the Centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present considerable constitutional disadvantages and ano-

malies It would be very difficult to work a Central Executive and Legislature in which some Ministers, who dealt with Compulsory subjects, were responsible to the whole of India while other Ministers, who dealt with Optional subjects, would be responsible only to those Provinces which had elected to act together in respect of such subjects This difficulty would be accentuated in the Central Legislature, where it would be necessary to exclude certain members from speaking and voting when subjects with which their Provinces were not concerned were under discussion

Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other Provinces, which did not desire to take the optional subjects at the Centre, the right to form themselves into a group for a similar purpose This would indeed be no more than the exercise of their autonomous powers in a particular way.

14 Before putting forward our recommendation we turn to deal with the relationship of the Indian States to British India It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible Paramountcy can neither be retained by the British Crown nor transferred to the new Government This fact has been fully recognised by those whom we interviewed from the States They have at the same time assured us that the States are ready and willing to co-operate in the new development of India The precise form which their co-operation will take must be a matter for negotiation during the building up of the new constitutional structure, and it by no means follows that it will be identical for all the States We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow

15 We now indicate the nature of a solution which in our view would be just to the essential claims

of all parties, and would at the same time be most likely to bring about a stable and practicable form of constitution for All-India

We recommend that the constitution should take the following basic form:

- (1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects: Foreign Affairs, Defence, and Communications, and should have the powers necessary to raise the finances required for the above subjects
- (2) The Union should have an Executive and a Legislature constituted from British Indian and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.
- (3) All subjects other than the Union subjects and all residuary powers should vest in the Provinces.
- (4) The States will retain all subjects and powers other than those ceded to the Union
- (5) Provinces should be free to form Groups with executives and legislatures, and each Group could determine the Provincial subjects to be taken in common.
- (6) The constitutions of the Union and of the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter.

16 It is not our object to lay out the details of a constitution on the above lines, but to set in motion

the machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary however for us to make this recommendation as to the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

17. We now indicate the constitution-making machinery which we propose should be brought into being forthwith in order to enable a new constitution to be worked out.

18 In forming any Assembly to decide a new Constitutional structure the first problem is to obtain as broadbased and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise, but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new Constitution. The only practicable alternative is to utilize the recently elected Provincial Legislative Assemblies as the electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of the Provincial Legislative Assemblies do not bear the same proportion to the total population in each Province. Thus Assam with a population of 10 millions has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250. Secondly owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the Province. Thus the number of seats reserved for Muslims in the Bengal Legislative Assembly is only 48% of the total although they form 55% of the Provincial population. After a most careful consideration of the various methods by which these inequalities might be correct-

ed, we have come to the conclusion that the fairest and most practicable plan would be

- (a) to allot to each Province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage
- (b) to divide this provincial allocation of seats between the main communities in each Province in proportion to their population.
- (c) to provide that the representatives allotted to each community in a Province shall be elected by the members of that community in its Legislative Assembly

We think that for these purposes it is sufficient to recognise only three main communities in India: General, Muslim, and Sikh, the "General" community including all persons who are not Muslims or Sikhs. As the smaller minorities would, upon the population basis, have little or no representation since they would lose the weightage which assures them seats in the Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to the minorities.

19 (1) We, therefore, propose that there shall be elected by each Provincial Legislative Assembly the following numbers of representatives, each part of the Legislature (General Muslim or Sikh) electing its own representatives by the method of proportional representation with the single transferable vote.

Table of Representation

SECTION A

Province	General	Muslim	Total
Madras	45	4	49
Bombay	19	2	21
United Provinces	47	8	55
Bihar	31	5	36
Central Provinces	16	1	17
Orissa	9	0	9
Total	167	20	187

SECTION B

Province	General	Muslim	Sikh	Total
Punjab	8	16	4	28
North-West Frontier Province	0	3	0	3
Sind	1	3	0	4
	<hr/>	<hr/>	<hr/>	<hr/>
Total	9	22	4	35
	<hr/>	<hr/>	<hr/>	<hr/>

SECTION C

Province	General	Muslim	Total
Bengal	27	33	60
Assam	7	3	10
	<hr/>		
Total	34	36	70
Total For British India			292
Maximum for Indian States			93
			<hr/>
Total			385

Note In order to represent the Chief Commissioners' Provinces there will be added to Section A the Member representing Delhi in the Central Legislative Assembly, the Member representing Ajmer-Merwara in the Central Legislative Assembly, and a representative to be elected by the Coorg Legislative Council.

To Section B will be added a representative of British Baluchistan

(ii) It is the intention that the States should be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculations adopted for British India, exceed 93, but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a Negotiating Committee

(iii) The representatives thus chosen shall meet at New Delhi as soon as possible

(iv) A preliminary meeting will be held at which the general order of business will be decided, a Chair-

man and other officers elected, and an Advisory Committee (see paragraph 20 below) or the rights of citizens, minorities, and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into the three sections shown under A, B and C in the Table of Representation in sub-paragraph (i) of this paragraph

(v) These sections shall proceed to settle the Provincial Constitutions for the Provinces included in each section, and shall also decide whether any Group Constitution shall be set up for those Provinces and, if so, with what Provincial subjects the Group should deal. Provinces shall have the power to opt out of the Groups in accordance with the provisions of sub-clause (viii) below

(vi) The representatives of the Sections and the Indian States shall reassemble for the purpose of settling the Union Constitution

(vii) In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major Communities. The chairman of the Assembly shall decide which (if any) of the resolutions raise major communal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(viii) As soon as the new constitutional arrangements have come into operation, it shall be open to any Province to elect to come out of any Group in which it has been placed. Such a decision shall be taken by the new legislature of the Province after the first general election under the new constitution

20 The Advisory Committee on the rights of citizens, minorities, and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of Funda-

mental Rights, the clauses for the protection of minorities, and a scheme for the administration of the tribal and excluded areas, and to advise whether these rights should be incorporated in the Provincial, Group, or Union constitution

21 His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a Negotiating Committee. It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible

22 It will be necessary to negotiate a Treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

23 While the constitution-making proceeds, the administration of India has to be carried on. We attach the greatest importance therefore to the setting up at once of an interim Government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India. Besides the heavy task of day-to-day administration, there is the grave danger of famine to be countered, there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future; and there are important international conferences in which India has to be represented. For all these purposes a Government having popular support is necessary. The Viceroy has already started discussions to this end, and hopes soon to form an Interim Government in which all the portfolios, including that of War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the Government so form-

ed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible

24 To the leaders and people of India who now have the opportunity of complete independence we would finally say this. We and our Government and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new constitution under which they will live. Despite the labours which we have shared with the Indian Parties, and the exercise of much patience and goodwill by all, this has not been possible. We, therefore, now lay before you proposals which, after listening to all sides and after much earnest thought we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognise with us that at this supreme moment in Indian history statesmanship demands mutual accommodation.

We ask you to consider the alternative to acceptance of these proposals. After all the efforts which we and the Indian Parties have made together for agreement, we must state that in our view there is small hope of peaceful settlement by agreement of the Indian Parties alone. The alternative would, therefore, be, a grave danger of violence, chaos, and even civil war. The result and duration of such a disturbance cannot be foreseen, but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen, and the world as a whole.

We, therefore, lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all who have the future good of India at heart to extend

their vision beyond their own community or interest to the interests of the whole four hundred millions of the Indian people

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope in any event that you will remain in close and friendly association with our people. But these are matters for your own free choice. Whatever that choice may be we look forward with you to your ever increasing prosperity among the great nations of the world, and to a future even more glorious than your past

(All population figures in this statement are from the most recent census taken in 1941)

APPENDIX B

CORRESPONDENCE RELATING TO SIMLA NEGOTIATIONS

Letter from Lord Pethick-Lawrence to Maulana Abul Kalam Azad and Mr Jinnah, dated 27th April, 1946

The Cabinet Mission and His Excellency the Viceroy have carefully reviewed the opinions expressed to them by the various representatives they have interviewed and have come to the conclusion that they should make one further attempt to obtain agreement between the Muslim League and the Congress

They realise that it would be useless to ask the two parties to meet unless they were able to place before them a basis of negotiation which could lead to such an agreement

I am, therefore, asked to invite the Muslim League to send four negotiators to meet the Cabinet Mission and the Viceroy together with a similar number from the Congress Working Committee with a view to discussing the possibility of agreement upon a scheme based upon the following fundamental principles

The future constitutional structure of British India to be as follows

A Union Government dealing with the following subjects Foreign Affairs, Defence and Communications

There will be two groups of Provinces, the one of the predominantly Hindu Provinces and the other of the predominantly Muslim Provinces, dealing with all other subjects which the Provinces in the respective groups desire to be dealt with in common The

Provincial Governments will deal with all other subjects and will have all the residuary sovereign rights.

It is contemplated that the Indian States will take their appropriate place in this structure on terms to be negotiated with them.

I would point out that we do not think it either necessary or desirable further to elaborate these principles as all other matters could be dealt with in the course of the negotiations.

If the Muslim League and the Congress are prepared to enter into negotiations on this basis, you will perhaps be so good as to let me know the names of the four people appointed to negotiate on their behalf. As soon as I receive these I will let you know the *locus* of the negotiations which will in all probability be in Simla, where the climate will be more temperate.

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 28th April, 1946

I thank you for your letter of April 27th. I have consulted my colleagues of the Congress Working Committee in regard to the suggestion made by you, and they desire me to inform you that they have always been willing to discuss fully any matters concerning the future of India with representatives of the Muslim League or any other organisation. I must point out, however, that the "fundamental principles" which you mention require amplification and elucidation in order to avoid any misunderstanding.

As you are aware, we have envisaged a Federal Union of autonomous units. Such a Federal Union must of necessity deal with certain essential subjects of which Defence and its allied subjects are the most important. It must be organic and must have both an executive and legislative machinery as well as the finance relating to these subjects and the power to raise revenues for these purposes in its own right. Without these functions and powers it would be weak.

and disjointed and Defence and progress in general would suffer. Thus among the common subjects in addition to Foreign Affairs, Defence and Communications, there should be Currency, Customs, Tariffs and such other subjects as may be found on closer scrutiny to be intimately allied to them.

Your reference to two groups of Provinces, the one of the predominantly Hindu Provinces and the other of the predominantly Muslim Provinces, is not clear. The only predominantly Muslim Provinces are the North-Western Frontier Province, Sind and Baluchistan. Bengal and the Punjab have a bare Muslim majority. We consider it wrong to form groups of Provinces under the Federal Union and more so on religious or communal basis. It also appears that you leave no choice to a Province in the matter of joining or not joining a group. It is by no means certain that a Province as constituted would like to join any particular group. In any event it would be wholly wrong to compel a Province to function against its own wish. While we agree to the Provinces having full powers in regard to all the remaining subjects as well as the residuary powers, we have also stated that it should be open to any Province to exercise its option to have more common subjects with the Federal Union. Any Sub-Federation within the Federal Union would weaken the Federal Centre and would be otherwise wrong. We do not, therefore, favour any such development.

Regarding the Indian States we should like to make it clear that we consider it essential that they should be parts of the Federal Union in regard to the common subjects mentioned above. The manner of their coming into the Union can be considered fully later.

You have referred to certain "fundamental principles" but there is no mention of the basic issue before us, that is, Indian independence and the consequent withdrawal of the British Army from India. It

is only on this basis that we can discuss the future of India, or any interim arrangement

While we are ready to carry on negotiations with any Party as to the future of India, we must state our convictions that reality will be absent from any negotiations whilst an outside Ruling Power still exists in India.

I have asked three of my colleagues of the Congress Working Committee, namely, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Khan Abdul Gaffar Khan to accompany me in any negotiations that may take place as a result of your suggestion

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 29th April, 1946

I thank you for your letter of the 27th April, which I placed before my Working Committee yesterday morning

My colleagues and I fully appreciate the further attempt that the Cabinet Mission and His Excellency the Viceroy are making to bring about an agreement between the Muslim League and the Congress by proposing a meeting of the representatives of the two organisations for the purpose of negotiating an agreement. They, however, desire me to invite your attention to the position taken up by the Muslim League since the passing of the Lahore resolution in 1940 and thereafter, successively endorsed by the All-India Muslim League Sessions and again by the Convention of Muslim League legislators, as recently as 9th April, 1946, as per copy enclosed

The Working Committee desire to point out that many important matters, both of principle and detail, in your brief letter, require elucidation and clarification, which, in their opinion, can be achieved at the meeting proposed by you.

Therefore, without prejudice or commitment, the Working Committee, in their anxiety to assist in finding an agreed solution of the Indian constitutional

problem, have authorised me to nominate three representatives on behalf of the Muslim League to participate in the negotiations

The following are the four names 1. Mr M. A. Jinnah, 2 Nawab Mohamad Ismail Khan, 3 Nawabzada Liaquat Ali Khan, and 4 Sardar Abdur Rab Nishtar.

(A copy of the resolution passed by the Subjects Committee to be placed before the All-India Muslim League Legislators' Convention on April 9, 1946, is enclosed with the letter).

Letter from Lord Pethick-Lawrence to the President of the Congress, dated 29th April, 1946

Thank you for your letter of 28th April The Cabinet Delegation are very glad to know that the Congress agree to enter the joint discussion with representatives of the Muslim League and ourselves

We have taken note of the views you have expressed on behalf of the Working Committee of the Congress These appear to deal with matters which can be discussed at the conference for we have never contemplated that acceptance by the Congress and the Muslim League of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement, and what we have asked the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it

Assuming that the Muslim League, whose reply we expect to receive in the course of the afternoon, also accept our invitation, we propose that these discussions should be held at Simla, and intend to move there ourselves on Wednesday next We hope that you will be able to arrange for the Congress representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 29th April, 1946.

Thank you for your letter of the 29th April. The Cabinet Delegation are very glad to know that the Muslim League agree to enter the joint discussion with the representatives of the Congress and ourselves. I am glad to say I have received a letter from the President of the Congress to say that they are also willing to participate in the proposed discussions and have nominated Maulana Azad, Pandit Nehru, Sardar Vallabhbhai Patel and Khan Abdul Gaffar Khan as their representatives.

We have taken note of the resolution of the Muslim League to which you draw our attention. We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it.

We propose that these discussions should be held at Simla and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Muslim League representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

AGENDA OF THE CONFERENCE

1. Groups of Provinces

(A) Composition

(B) Method of deciding group subjects

(C) Character of group organisation.

2 Union

(A) Union subjects

(B) Character of Union constitution.

(C) Finance.

3 Constitution-making machinery

(A) Composition.

(B) Functions (i) In respect of union; (ii) In respect of groups, (iii) In respect of provinces

Letter from the President of the Congress to Lord Pethick-Lawrence dated 6th May, 1946.

My colleagues and I followed with care the proceedings of the Conference yesterday and tried to understand what our conversations were leading up to. I confess to feeling somewhat mystified and disturbed at the vagueness of our talks and some of the assumptions underlying them. While we would like to associate ourselves with every effort to explore ways and means of finding a basis for agreement, we must not deceive ourselves, the Cabinet Mission or the representatives of the Muslim League into the belief that the way the Conference has so far proceeded furnishes hope of success. Our general approach to the questions before us was stated briefly in my letter to you of 28th April. We find that this approach has been largely ignored and a contrary method has been followed. We realise that some assumptions have to be made in the early stages as otherwise there can be no progress. But assumptions which ignore or run contrary to fundamental issues are likely to lead to misunderstandings during the later stages.

In my letter of 28th April, I stated that the basic issue before us was that of Indian independence and the consequent withdrawal of the British Army from India, for there can be no independence so long as there is a foreign Army on Indian soil. We stand for the independence of the whole of India now and not in the distant or near future. Other matters are subsidiary to this and can be fitly discussed and decided by the Constituent Assembly.

At the Conference yesterday I referred to this again and we were glad to find that you and your col-

leagues, as well as the other members of the Conference, accepted Indian independence as the basis of our talks. It was stated by you that the Constituent Assembly would finally decide about the nexus or other relationship that might be established between a free India and England. While this is perfectly true, it does not affect the position now, and that is the acceptance of Indian independence now.

If that is so then certain consequences inevitably follow. We felt yesterday that there was no appreciation of these consequences. A Constituent Assembly is not going to decide the question of Independence. That question must be and, we take it, has been decided now. That Assembly will represent the will of the free Indian nation and give effect to it. It is not going to be bound by any previous arrangements. It has to be preceded by a provisional Government which must function, as far as possible, as a Government of free India, and which should undertake to make all arrangements for the transitional period.

In our discussions yesterday repeated references were made to "Groups" of Provinces functioning together, and it was even suggested that such a Group would have an executive and legislative machinery. This method of grouping has not so far been discussed by us but still our talks seemed to presume all this. I should like to make it very clear that we are entirely opposed to any executive or legislative machinery for a Group of Provinces or units of the Federation. That will mean Sub-Federation, if not something more, and we have already told you that we do not accept this. It would result in creating three layers of executive and legislative bodies, an arrangement which will be cumbrous, static and dis-jointed, leading to continuous friction. We are not aware of any such arrangement in any country.

We are emphatically of opinion that it is not open to the Conference to entertain any suggestions for a division of India. If this is to come, it should come

through the Constituent Assembly free from any influence of the present Governing Power.

Another point we wish to make clear is that we do not accept the proposal for parity as between Groups in regard to the executive or legislature. We realise that everything possible should be done to remove fears and suspicions from the mind of every group and community. But the way to do this is not by unreal methods which go against the basic principles of democracy on which we hope to build up our constitution.

Letter from Lord Pethick-Lawrence to the President of the Muslim League and the Congress, dated 8th May, 1946:

My colleagues and I have been thinking over the best method of laying before the Conference what in our judgment seems the most likely basis of agreement as shown by the deliberations so far.

We have come to the conclusion that it will be for the convenience of the Parties if we commit this to writing and send them confidential copies before the Conference meets again.

We hope to be in a position to let you have this in the course of the morning. But as this will give you too short a time to study it adequately before the proposed resumption of the Conference at 3 o'clock this afternoon I feel sure that you will agree that the meeting be postponed until the same hour (3 o'clock tomorrow afternoon, Thursday, 9th May, and I hope that you will concur in this change of time which we are convinced is in the interests of all Parties.

Letter from the Private Secretary to Lord Pethick-Lawrence to the Presidents of the Congress and the Muslim League, dated 8th May, 1946

With reference to the Secretary of State's letter to you this morning, the Cabinet Delegation wish me to send to you the enclosed document which is the paper to which the Secretary of State referred. The Delegation propose that this paper should be discussed

sed at the next meeting to be held on Thursday afternoon at 3 p m. if that is agreeable to the Congress and the Muslim League delegates.

Enclosure with the letter of 8th May:

SUGGESTED POINTS FOR AGREEMENT BETWEEN THE REPRESENTATIVES OF THE CONGRESS AND THE MUSLIM LEAGUE

1. There shall be an All-India Union Government and Legislature dealing with Foreign Affairs, Defence, Communications and Fundamental Rights and having the necessary powers to obtain for itself the finance it requires for these subjects

2. All the remaining powers shall vest in the Provinces.

3. Groups of Provinces may be formed and such groups may determine the provincial subjects which they desire to take in common.

4. The Groups may set up their own executives and legislatures.

5. The Legislature of the Union shall be composed of equal proportions from the Muslim-majority provinces and from the Hindu-majority provinces whether or not these or any of them have formed themselves into groups, together with representatives of the States

6 The Government of the Union shall be constituted in the same proportion as the Legislature

7. The Constitutions of the Union and the Groups (if any) shall contain a provision whereby any Province can by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the Constitution after an initial period of ten years and at ten-yearly intervals thereafter.

For the purpose of such reconsideration, a body shall be constituted on the same basis as the original Constituent Assembly and with the same provisions as to voting and shall have power to amend the constitution in any way decided upon

8 The constitution-making machinery to arrive at a Constitution on the above basis shall be as follows

(A) Representatives shall be elected from each Provincial Assembly in proportion to the strengths of the various parties in that Assembly on the basis of 1/10th of their numbers.

(B) Representatives shall be invited from the States on the basis of their population in proportion to the representation from British India

(C) The Constituent Assembly so formed shall meet at the earliest date possible in New Delhi

(D) After its preliminary meeting at which the general order of business will be settled, it will divide into three sections, one section representing the Hindu majority provinces, one section representing the Muslim majority provinces and one representing the States

(E) The first two sections will then meet separately to decide the provincial constitutions for their Group and, if they wish, a Group Constitution.

(F) When these have been settled it will be open to any province to decide to opt out of its original Group and into the other Group or to remain outside any Groups

(G) Thereafter the three bodies will meet together to settle the Constitution for the Union on the lines agreed in paragraphs 1-7 above.

(H) No major point in the Union Constitution which affects the communal issue shall be deemed to be passed by the Assembly unless a majority of both the two major communities vote in its favour

9 The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 8th May, 1946

I have now received the letter of your private secretary, dated 8th May, 1946, and the enclosed document to which you had referred in your earlier letter of 8th May, 1946. It is proposed by you that this "paper" be discussed at the next meeting of the Conference to be held on Thursday afternoon at 3 p.m. if this is agreeable to the Muslim League delegation.

Your proposal embodied in your letter of 27th April, 1946, runs as follows:

'A Union Government dealing with the following subjects: Foreign Affairs, Defence and Communications. There will be two groups of Provinces: the one of the predominantly Hindu provinces and the other of the predominantly Muslim Provinces, dealing with all other subjects which the Provinces in the respective groups desire to be dealt with in common. The Provincial Government will deal with all other subjects and will have all residuary sovereign rights.'

This matter was to be discussed at Simla and we agreed to attend the Conference on Sunday, 5th May, 1946, on the terms of my letter, dated 28th April, 1946.

You were good enough to explain your formula and then after hours of discussion on the 5th and 6th of May, the Congress finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union.

Next, your formula clearly envisaged an agreement precedent between the Congress and the Muslim League with regard to the grouping of Muslim and Hindu provinces and the formation of two federations of the grouped provinces and it followed that there must be two constitution-making machineries. It was on that basis that some kind of Union was suggested in your formula confined only to three subjects and our approval was sought in order to put into this skeleton blood and flesh. This proposal was also categorically turned down by the Congress and the meet-

ing had to be adjourned for the Mission to consider the matter further as to what steps they may take in the matter.

And now the new enclosed document has been sent to us with a view that "this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m." The heading of the paper is "Suggested points for agreement between the representatives of the Congress and the Muslim League" By whom are they suggested, it is not made clear.

We are of the opinion that the new suggested points for agreement are a fundamental departure from the original formula embodied in your letter of 27th April, which was rejected by the Congress.

To mention some of the important points we are now asked to agree that there should be one All-India Union Government in terms of paragraphs 1-7 of this paper, which adds one more subject to be vested in the Union Government, "fundamental rights" and it is not made clear whether the Union Government and legislature will have power or not to obtain for itself the finances by means of taxation.

In the new "suggestions" the question of grouping of Provinces is left exactly as the Congress spokesmen desired in the course of discussions that have taken place hitherto, and is totally different from your original formula.

That there should be a single constitution-making body, we can never agree to, nor can we agree to the method of formation of constitution-making machineries suggested in the paper.

There are many other objectionable features contained in the suggestions, which we have not dealt with as we are only dealing with the main points arising out of this paper. In these circumstances, we think, no useful purpose will be served to discuss the paper, as it is a complete departure from your original formula, unless after what we have said above, you

still desire us to discuss it in the Conference itself tomorrow.

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 9th May, 1946

I have to acknowledge your letter of yesterday which I have shown to my colleagues. In it you raise a number of issues to which I propose to reply in order.

1. You claim that the Congress "finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union". This statement is not in accord with my recollection of what took place in the Conference room. It is true that the Congress representatives expressed their view that the limitation was too narrow and argued further that even so limited it necessarily included certain ancillary matters. Up to a point you recognised that there was some force in the argument because you agreed, as I understood, that some power to obtain the necessary finance must be given. "There was no real decision on this matter (or of course on any other)."

2. Next you claim, if I understand you aright, that our reference to the formation of groups is at variance with the formula in our invitation. I am afraid I cannot accept this view. It is of course a slightly amplified form because it specifies the manner in which the Provinces can decide as to joining any particular Group. This amplified form is put forward by us as a reasonable compromise between the views of the Muslim League and those originally expressed by the Congress against grouping at all.

3. You further take exception to the machinery that we suggest should be set up for making the Constitution. I would point out to you however that you yourself in explaining how your two constitution-making bodies would work agreed on Tuesday last in the Conference that they would have to join together in the end to decide the Constitution of the Union.

and you took no exception to their having a preliminary session in common to decide procedure. That we are proposing is in fact precisely the same thing expressed in different words. I am therefore quite at a loss to understand what you have in mind when you use the words "this proposal was also categorically turned down by the Congress."

4 In your next succeeding paragraph you ask who it is that makes the suggestions that are contained in the document I sent you. The answer is the Cabinet Mission and His Excellency the Viceroy who makes them in our endeavour to bridge the gap between the viewpoints of the Congress and the Muslim League.

5. You next take exception to our departing from the original formula in my invitation. I would remind you that in accepting my original invitation neither the Muslim League nor the Congress bound itself to accept in full the original formula, and in my reply of April 29th I wrote these words

"We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and the representatives of the Congress in order to discuss it." Indeed this is the only sensible attitude because the object of all our discussions is to explore every conceivable possibility of reaching agreement.

6 "Fundamental Rights" were included by us in our suggestions for addition to the list of Union subjects because it seemed to us that it would be of benefit both to the large communities and to the small minorities for them to be put in and accordingly to be worthy of consideration in our Conference. As to Finance, it will of course be quite open to discuss in

the Conference the precise significance of the inclusion of this word in its context

7. Your two following paragraphs are mainly a recapitulation of your previous arguments and have been already dealt with above

8 From your last paragraph I understand that though you do not consider in the circumstances that any good purpose would be served by the attendance of the Muslim League Delegation at the Conference fixed for this afternoon, you are willing to come if we express a desire that you should do so. My colleagues and I wish to obtain the views of both the Parties on the document submitted and therefore would be glad to see you at the Conference.

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 9th May, 1946.

My colleagues and I have given the most careful consideration to the memorandum sent by you yesterday, suggesting various points of agreement. On the 28th April I sent you a letter in which I explained briefly the Congress viewpoint in regard to certain fundamental principles mentioned in your letter of 27th April. After the first day of the Conference, on 6th May, I wrote to you again to avoid any possible misunderstanding regarding the issues being discussed in the Conference

I now find from your memorandum that some of your suggestions are entirely opposed to our views and to the views repeatedly declared by the Congress. We are thus placed in a difficult position. It has been and is our desire to explore every avenue for a settlement and a change-over in India by consent, and for this purpose we are prepared to go far. But there are obvious limits beyond which we cannot go if we are convinced that this would be injurious to the people of India and to India's progress as a free nation

In my previous letters I have laid stress on the necessity of having a strong and organic Federal Union. I have also stated that we do not approve of

sub-federations or grouping of Provinces in the manner suggested, and are wholly opposed to parity in executives or legislatures as between wholly unequal groups. We do not wish to come in the way of Provinces or other units co-operating together, if they so choose, but this must be entirely optional.

The proposals, you have put forward are meant, we presume, to limit the free discretion of the Constituent Assembly. We do not see how this can be done. We are at present concerned with one important aspect of a larger problem. Any decision on this aspect taken now might well conflict with the decisions we, or the Constituent Assembly, might want to take on other aspects. The only reasonable course appears to us is to have a Constituent Assembly with perfect freedom to draw up its constitution, with certain reservations to protect the rights of minorities. Thus we may agree that any major communal issue must be settled by consent of the parties concerned, or, where such consent is not obtained, by arbitration.

From the proposals you have sent us it would appear that two or three separate constitutions might emerge for separate groups, joined together by a flimsy common superstructure, left to the mercy of the three disjointed groups.

There is also compulsion in the early stages for a Province to join a particular group whether it wants to or not. Thus why should the Frontier Province, which is clearly a Congress Province, be compelled to join any group hostile to the Congress?

We realise that in dealing with human beings, as individuals or groups, many considerations have to be borne in mind besides logic and reason. But logic and reason cannot be ignored altogether, and unreason and injustice are dangerous companions at any time and, more especially, when we are building for the future of hundreds of millions of human beings.

I shall now deal with some of the points in your memorandum and make some suggestions in regard to them.

No 1. We note that you have provided for the Union to have necessary powers to obtain for itself the finance it requires for the subjects it deals with. We think it should be clearly stated that the Federal Union must have power to raise revenues in its own right. Further that Currency and Customs must in any event be included in the Union subjects, as well as such other subjects as on closer scrutiny may be found to be intimately allied to them. One other subject is an essential and inevitable Union subject and that is Planning. Planning can only be done effectively at the Centre, though the Provinces or units will give effect to it in their respective areas.

The Union must also have power to take remedial action in cases of breakdown of the Constitution and in grave public emergencies.

Nos 5 and 6. We are entirely opposed to the proposed parity, both in the executive and legislature, as between wholly unequal groups. This is unfair and will lead to trouble. Such a provision contains in itself the seed of conflict and the destruction of free growth. If there is no agreement on this or any similar matter, we are prepared to leave it to arbitration.

No 7. We are prepared to accept the suggestion that provision be made for a reconsideration of the Constitution after ten years. Indeed the Constitution will necessarily provide the machinery for its revision at any time.

The second clause lays down that reconsideration should be done by a body constituted on the same basis as the Constituent Assembly. This present provision is intended to meet an emergency. We expect that the Constitution for India will be based on adult suffrage. Ten years hence India is not likely to be satisfied with anything less than adult suffrage to express its mind on all grave issues.

No. 8-A. We would suggest that the just and proper method of elections, fair to all parties, is the me-

thod of proportional representation by single transferable vote It might be remembered that the present basis of election for the Provincial Assemblies is strongly weighted in favour of the minorities.

The proportion of one-tenth appears to be too small and will limit the numbers of the Constituent Assembly too much. Probably the number would not exceed 200 In the vitally important tasks the Assembly will have to face, it should have larger numbers We suggest that at least one-fifth of the total membership of the Provincial Assemblies should be elected for the Constituent Assembly.

No 8-B This clause is vague and requires elucidation. But for the present we are not going into further details

No 8-D, E, F, G I have already referred to these clauses We think that both the formation of these groups and the procedure suggested are wrong and undesirable We do not wish to rule out the formation of the groups if the Provinces so desire But this subject must be left open for decision by the Constituent Assembly. The drafting and settling of the Constitution should begin with the Federal Union. This should contain common and uniform provisions for the provinces and other units The provinces may then add to these

No 8-H. In the circumstances existing today we are prepared to accept some such clause In case of disagreement the matter should be referred to arbitration

I have pointed out above some of the obvious defects as we see them, in the proposals contained in your memorandum If these are remedied, as suggested by us, we might be in a position to recommend their acceptance by the Congress But as drafted in the memorandum sent to us, I regret that we are unable to accept them.

On the whole, therefore, if the suggestions are intended to have a binding effect, with all the will in

the world to have an agreement with the League, we must repudiate most of them. Let us not run into any evil greater than the one all of us, three parties, should seek to avoid.

If an agreement honourable to both the parties and favourable to the growth of a free and united India cannot be achieved, we would suggest that an interim provisional Government responsible to the elected members of the Central Assembly be formed at once and the matters in dispute concerning the Constituent Assembly between the Congress and the League be referred to an independent tribunal.

After a proposal by Pandit Jawaharlal Nehru that an Umpire should be appointed to settle matters of difference between the parties, the Conference, understanding that there was a likelihood of agreement on an Umpire between the parties, was adjourned and the following correspondence passed between the parties.

Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 10th May, 1946.

In accordance with our decision yesterday at the Conference, my colleagues have given a good deal of thought to the choice of a suitable umpire. We have felt that it would probably be desirable to exclude Englishmen, Hindus, Muslims and Sikhs. The field is thus limited. Nevertheless we have drawn up a considerable list from which a choice can be made. I presume that you have also, in consultation with your executive, prepared a list of possible umpires. Would you like these two lists to be considered by us, that is, by you and me? If so, we can fix up a meeting for the purpose. After we have met, our recommendation can be considered by the eight of us, that is, the four representatives of the Congress and the four representatives of the Muslim League, and a final choice can be made, which we can place before the Conference when it meets tomorrow.

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated 10th May, 1946

I received your letter of 10th May at 6 p m

At yesterday's meeting between you and me at the Viceregal Lodge, we discussed several points besides the fixing of an umpire. After a short discussion, we came to the conclusion that we would further examine the proposals made by you at the conference yesterday, with all its implications after your and my consulting our respective colleagues.

I shall be glad to meet you to consider the various aspects of your proposal any time that may suit you tomorrow morning after 10 o'clock.

Letter from Pandit Jawaharlal Nehru to the President of Muslim League, dated 11th May, 1946

Your letter of 10th May reached me at 10 last night.

During the talk we had at Viceregal Lodge, you referred to various matters besides the choice of an umpire and gave you my reactions in regard to them. But I was under the impression that the proposal to have an umpire had been agreed to and our next business was to suggest names. Indeed it was when some such agreement was reached in the Conference that we had our talk. My colleagues have proceeded on this basis and prepared a list of suitable names. The Conference will expect us to tell them this afternoon the name of the umpire we fix upon or at any rate to place before them suggestions in this behalf.

The chief implication in having an umpire is to agree to accept his final decision. We agree to this. We suggest that we might start with this and report accordingly to the Conference.

As suggested by you, I shall come over to your place of residence at about 10-30 this morning.

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru dated 11th May, 1946

I am in receipt of your letter of 11th May 1946

During the talk we had at the Viceregal Lodge which lasted for about 15 to 20 minutes, I pointed out

various aspects and implications of your proposal and we had a discussion for a little while, but no agreement was arrived at between you and me on any point except that at your suggestion that you consult your colleagues and I should do likewise. We adjourned to meet again the next day to further discuss the matter.

I shall be glad to meet you at 10-30 this morning for a further talk

Memorandum by the President of the Muslim League embodying the minimum demands by way of an offer, in accordance with the Conference decision, dated 12th May, 1946 (Copies sent to the Cabinet Delegation and the Congress).

PRINCIPLES TO BE AGREED TO AS OUR OFFER

1 The six Muslim Provinces (Punjab, N W F P. Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications necessary for Defence, which may be dealt with by the constitution-making bodies of the two groups of Provinces Muslim provinces (hereinafter named Pakistan Group) and Hindu Provinces sitting together.

2. There shall be a separate constitution-making body for the six Muslim Provinces named above, which will frame constitutions for the group and the Provinces in the group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the Provinces

3 The method of election of the representatives to the constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each Province of the Pakistan Group

4. After the constitutions of the Pakistan Federal Government and the Provinces are finally framed by the constitution-making body, it will be open to

any Province of the group to decide to opt out of its group, provided the wishes of the people of that Province are ascertained by a referendum to opt out or not

5 It must be open to discussion in the joint constitution-making body as to whether the Union will have a legislature or not. The method of providing the Union with finance should also be left for the decision of the joint meeting of the two constitution-making bodies, but in no event shall it be by means of taxation

6 There should be parity of representation between the two groups of Provinces in the Union executive and the legislature, if any.

7 No major point in the Union Constitution which affects the communal issue shall be deemed to be passed in the joint constitution-making body, unless the majority of the members of the constitution-making body of the Hindu Provinces and the majority of the members of the constitution-making body of the Pakistan Group, present and voting, are separately in its favour

8 No decision, legislative, executive or administrative shall be taken by the Union in regard to any matter of a controversial nature, except by a majority of three-fourths

9 In group and provincial constitutions, fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for

10 The constitution of the Union shall contain a provision whereby any province can, by a majority vote of its legislative assembly, call for a reconsideration of the terms of the Constitution and will have the liberty to secede from the Union at any time after an initial period of ten years

These are the principles of our offer for a peaceful and amicable settlement and this offer stands in

its entirety and all matters mentioned herein are interdependent

Points suggested on behalf of the Congress as a basis for agreement, 12th May, 1946

1 The Constituent Assembly is to be formed as follows:

(1) Representatives shall be elected by each Provincial Assembly by proportional representation (single transferable vote). The number so elected should be one-fifth of the number of members of the Assembly and they may be members of the Assembly or others

(11) Representatives from the States on the basis of their population in proportion to the representation from British India How these representatives are to be chosen is to be considered later.

2. The Constituent Assembly shall draw up a constitution for the Federal Union This shall consist of an All-India Federal Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, Currency, Customs and Planning as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them The Federal Union will have necessary power to raise revenues in its own it requires for these subjects and the power to raise revenues in its own right The Union must also have power to take remedial action in cases of breakdown of the Constitution and in grave public emergency.

5. After the Constituent Assembly has decided the Constitution for the All-India Federal Union as laid down in paragraph two above, the representatives of the Provinces may form groups to decide the provincial constitutions for their group and, if they wish a group constitution

6 No major point in the All-India Federal Constitution which affects the communal issue shall be deemed to be passed by the Constituent Assembly un-

less a majority of the members of the community or communities concerned present in Assembly and voting are separately in its favour. Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue, the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

7. In the event of a dispute arising in the process of constitution-making the specific issue shall be referred to arbitration

8. The Constitution should provide machinery for its revision at any time subject to such checks as may be devised. If so desired, it may be specifically stated that this whole Constitution may be reconsidered after ten years.

Note by the Congress on the principles to be agreed upon as suggested on behalf of the Muslim League, dated 12th May, 1946.

The approach of the Muslim League is so different from that of the Congress in regard to these matters that it is little difficult to deal with each point separately without reference to the rest. The picture as envisaged by the Congress is briefly given in a separate Note. From consideration of this Note and the Muslim League's proposals the difficulties and the possible agreement will become obvious.

The Muslim League's proposals are dealt with below briefly:

(1) We suggest that the proper procedure is for one constitution-making body or Constituent Assembly to meet for the whole of India and later for groups to be formed if so desired by the Provinces concerned. The matter should be left to the Provinces and if they wish to function as a group they are at liberty to do so and to frame their own constitution for the purpose.

In any event Assam has obviously no place in the group mentioned, and the North-West Frontier Pro-

vince, as the elections show, is not in favour of this proposal

(2) We have agreed to residuary powers, apart from the central subjects vesting in the Provinces. They can make such use of them as they like and, as has been stated above, function as a group. What the ultimate nature of such a group may be cannot be terminated at this stage and should be left to the representatives of the Provinces concerned.

(3) We have suggested that the most suitable method of election would be by single transferable vote. This would give proper representation to the various communities in proportion to their present representation in the legislature. If the population proportion is taken, we have no particular objection, but this would lead to difficulties in all the Provinces where there is weightage in favour of certain communities. The principle approved of would necessarily apply to all the Provinces.

(4) There is no necessity for opting out of a Province from its group as the previous consent of the Provinces is necessary for joining the group.

(5) We consider it essential that the Federal Union should have a Legislature. We also consider it essential that the Union should have power to raise its own revenue.

(6 and 7) We are entirely opposed to parity of representation as between groups of Provinces in the Union Executive or Legislature. We think that the provision to the effect that no major communal issue in the Union Constitution shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present and voting in the Constituent Assembly are separately in its favour is a sufficient and ample safeguard of all minorities. We have suggested something wider and including all communities than has been proposed elsewhere. This may give rise to some difficulties in regard to small communi-

ties, but all such difficulties can be got over by reference to arbitration. We are prepared to consider the method of giving effect to this principle so as to make it more feasible.

(8) This proposal is so sweeping in its nature that no Government or Legislature can function at all. Once we have safeguarded major communal issues, other matters, whether controversial or not, require no safeguard. This will simply mean safeguarding vested interests of all kinds and preventing progress or indeed any movement in any direction. We, therefore, entirely disapprove of it.

(9) We are entirely agreeable to the inclusion of fundamental rights and safeguards concerning religion, culture and like matters in the constitution. We suggest that the proper place for this is the All-India Federal Union Constitution. There should be uniformity in regard to these fundamental rights all over India.

(10) The Constitution of the Union will inevitably contain provisions for its revision. It may also contain a provision for its full reconsideration at the end of ten years. The matter will be open then for a complete reconsideration. Though it is implied, we would avoid reference to secession as we do not wish to encourage this idea.

APPENDIX C

LORD PETHICK-LAWRENCE'S INTERPRETATION

May 17, 1946

The Secretary of State was asked: "Just as the Provinces have the right to opt out of the groups, will they have the right to secede from the Indian Union, say within two years?"

Lord Pethick-Lawrence replied "They will not have the right to opt out in a period of two years. What they will have the right to do is to ask for a revision of the Constitution at the end of ten years."

Question "Supposing Assam, which has a Congress Ministry, decided not to come into a group with Bengal, which has a Muslim League Ministry, would Assam be allowed to join any other group?"

Ans. "The right to opt out comes later, for this reason, that the whole picture should be understood before the option is exercised."

Question "Can a province, if it opts out of one section, go into another section?"

Lord Pethick-Lawrence replied that if the right was given to a province to opt into another section and that other section did not want to receive it, a rather awkward situation would arise. An answer to the question was not laid down in the statement but it would be open to the Constituent Assembly to deal with it at the appropriate time.

Question. "If any province does not wish to join the group in which it has been put, can it stay out?"

Ans.. "The provinces automatically come into the sections "A", "B" and "C" which are set out in the statement. Initially they are in the particular sections to which they are allocated in the statement and that particular section will decide whether a group

shall be formed and what should be the Constitution. The right to opt of the group formed by that section arises after the Constitution has been framed and the first election to the legislature has taken place after that constitution. It does not arise before that.

Question: "There is a provision whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the Constitution after an initial period of ten years. Is there included in the words "call for a reconsideration of the term of the Constitution" any right to have secession considered?"

Ans: "If you revise the Constitution, quite clearly the whole basis of the Constitution can be considered again. Any province can ask for a revision of the Constitution. And so far as I can see, when that revision is undertaken, all questions in the Constitution are open to rediscussion."

Question: "If the provinces in section "B" which formed a Muslim majority area, decided to form a group but would not come into the Union, what would be the position?"

Ans: "It would be a breach of the condition under which all these people meet together for the purpose of making the Constitution and, therefore, the Constitution-making machinery would break down if it was persisted in. That is contrary to the understanding on which these people came together. If they are coming together on an understanding, presumably honourably accepting the major premise, and if they were to refuse that later on, it will be a breach of the understanding and we do not contemplate such a thing.

Question: "Could the provinces in section "B" at the end of ten years, decide to be a separate sovereign State?"

Ans: "If the Constitution is being revised, of course. All proposals for its revision will be open for

discussion Whether they would be carried through is quite another question."

Question "Supposing a group decides not to come into the Union Constituent Assembly, what would be the position as far as that group is concerned?"

Ans: "This is a purely hypothetical question. You cannot forejudge exactly what would be done in the event of people not co-operating but there is every intention to proceed with the Constitution-making machinery as it is set out in the statement. What will happen if one person or any person or groups of people in some way tried to put spanners in the wheels I am not prepared at this stage precisely to say, but the intention is to get on with the job."

Question "Can the Provincial Assemblies elect people from outside their membership?"

Ans "Yes That is not excluded under the terms of the statement."

Question "Does the ten year period set for revision of the Constitution mean that the Union Constitution is inviolable for ten years?"

Ans. "What it does mean is that the Constituent Assembly will lay down provisions for the revision of the constitution. This is in accordance with what is taking place in a great many other cases in the world Precisely what the conditions of revision are is a matter for the Constituent Assembly to decide I do not think I can go further into that

Question "Will it be open to the Constituent Assembly to endow the Union with all powers of taxation, customs, income-tax and other taxes?"

[Lord Pethick-Lawrence replied that the statement left it open to the Constituent Assembly to interpret the words relating to Finance, subject to the condition that any resolution raising a major communal issue should require a majority of the representatives present and voting of each of the two major communities. Subject to that and subject to altera-

tions in the basic formula, a bare majority in the Constituent Assembly could carry a proposal

Lord Pethick-Lawrence said that the question of including currency in the central list could be discussed if necessary in the constitution-making body.

Replying to a number of questions on Indian States, the Secretary of State reiterated that paramountcy would continue in the interim period.

He stated that the Mission had already received indications from most of the principal states and representatives of large bodies of other states that they had no desire to impede the progress of India towards self-government and independence and that they wanted to co-operate in it.

As regards the position of the India Office during the interim period Lord Pethick-Lawrence said that for months now India Office had been proceeding on the assumption that the time would come when great changes would be made in India and the whole position of the India Office would be altered. Its vast administrative machine would, however, be at the disposal of the new constitution in India.

Question "If the constitution-making body decides that as a preliminary to proceeding with its work British troops should be withdrawn, will they be withdrawn?"

Answer: I think that is a misunderstanding of the situation. Someone must be responsible for law and order in the country. In the provinces the Indian Governments are really responsible for law and order but the ultimate responsibility rests with the Government of India. We are anxious to transfer that at the earliest possible moment but we must transfer it to a properly constituted Government. When that time comes, we will make the transfer.

Question. What will be the next stage of activity of the Cabinet Delegation?

Ans The first thing is to get this plan accepted by the two main communities and I hope that will be carried through as soon as possible

Question. What will be the percentage of Muslims in the Interim Government?

Ans The question of the Interim Government is not for us to decide, it is primarily a question for the Viceroy.

Question: During the interim period, will the Viceroy's veto be exercised as it is at present?

Ans: That is a question for the Viceroy and he is now negotiating with the parties.

Lord Pethick-Lawrence said that the division into three main communities General, Muslim and Sikh had not been made in consultation with any party "This statement is our own and does not represent necessarily the opinion of anybody in India But it is put out after we have discussed all these matters with different Indians and it is our attempt to reach the most likely method which will be accepted by the different parties."

Question Has the Congress agreed to this?

Ans We have not put this out on the basis that anybody has agreed to anything It is our statement and stands on its own footing

Question What legislative steps will be required for setting up the Interim Government, the creation of the new title of Emperor of India?

Ans So far as the first are concerned, no legislative steps are necessary at all. So far as the ultimate step is concerned, that is a matter of constitutional law and I cannot answer off hand So far as I know, speaking without consideration, I am not at all sure that a precise statute will be required for it, but I should not like that to be taken as final There will naturally have to be a debate in Parliament and some legislative step will have to be taken with the consent of His Majesty the King But I do not contem-

plate any difficulty about all that The present Labour Government is in a considerable working majority in the House of Commons and I do not imagine any serious difficulty in carrying it through.

Question Do you agree with Mr. Churchill when he implies that you have laboured not to gain an empire but to cast it away?

Ans: I can only say that what we are doing to-day is in accord with the views that have been expressed all through by the really great statesmen in our country and nothing can redound more to the highest traditions of liberty which prevail in my country than if as a result of our labours we have in the years to come a sovereign country here in India whose relationship with ours is one of friendliness and equality in the days to come.

APPENDIX D

STATEMENT ABOUT INDIAN STATES

MAY 22, 1946

"Prior to the recent statement of the British Prime Minister in the House of Commons, an assurance was given to the Princes that there was no intention on the part of the Crown to initiate any change in their relationship with the Crown or the rights guaranteed by their treaties and engagements without their consent. It was at the same time stated that the Princes' consent to any changes which might emerge as a result of negotiations would not unreasonably be withheld.

NO BLOCK TO INDEPENDENCE

"The Chamber of Princes has since confirmed that the Indian States fully share the general desire in the country for an immediate settlement by India of her full stature.

"His Majesty's Government have now declared that, if the succession Government or Governments in British India desire Independence, no obstacle would be placed in their way.

"The effect of these announcements is that all those concerned with the future of India wish her to attain a position of Independence within or without the British Commonwealth. The Mission have come here to assist in resolving the difficulties which stand in the way of India fulfilling this wish."

"During the interim period, which must elapse before the coming into operation of a new constitutional structure under which British India will be independent or fully self-governing, Paramountcy will remain in operation. But the British Government

could not, and will not, in any circumstances, transfer Paramountcy to an Indian Government.

STATES' RESPONSE

"In the meanwhile, the Indian States are in a position to play an important part in the formulation of the new constitutional structure for India, and His Majesty's Government have been informed by the Indian States that they desire, in their own interests and in the interests of India as a whole, both to make their contribution to the framing of the structure and to take their due place in it when it is completed

"In order to facilitate this they will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of a State, they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the constitutional structure.

"It will also strengthen the position of the States during the formulative period of the various Governments which have not already done so, to take active steps to place themselves in close and constant touch with public opinion in their States by means of representative institutions."

INDEX

- Aga Khan, the H H 15, 28
 Agency Centre 37, 88, 89,
 90, 91, 125, 137
 Ahmed, Sir Saiyad 26
 Akali Sikhs 110
 Akbar 20
 Akhand Hindustan 104
 Alexander, A V 167
 America (U S A) 33, 49,
 51, 91, 93, 99, 103, 133,
 147, 148, 149, 154, 155
 Amery 52, 53, 54, 102, 111,
 169.
 Anglo-American
 Combine 152
 Ansari, Dr Shaukat 141
 Anti-Jewish Agitation 154
 Anti-Jewish controversy
 156
 Arab League 154
 Archibold, Mr. of Aligarh
 College 15
 Atlantic Charter 95
 Attlee, Major (Prime
 Minister) 102, 167, 168
 August Offer 50, 53, 54, 61.
 August (1942) Reso-
 lution, 65, 122
 Award (Ramsay) Mac-
 Donald 16, 115, 124, 126
 Azad, Maulana 101, 142, 168

 Bardoloi, Mr. 96
 Bathvala, Soli 160, 162
 Beasant, Mrs 33
 Beck, a Britisher 15
 Bevin, 102.
 Bhulabhai-Liaquat Ali
 Pact 98, 100
 Bill, Ilbert 25
 Bierut 158
 Bose, Subhas 106, 107, 160

 Cabinet, Ramsay
 MacDonald 102
 Cadell, Sir Patrick 11
 Canning, Lord 11, 32, 128
 Centre (Indian) 87, 90, 95,
 113, 119, 122, 136, 137,
 138, 139, 140, 141, 143,
 144, 145, 146
 Chiang Kai Shek 99.
 Chiplunkar 27
 Churchill 53, 59, 97,
 100, 102
 Coalition Centre 140
 Communism 133, 134, 159
 Communist Party of
 India (C.P.I) 159, 160,
 161, 162
 Communists 110, 111, 152,
 157, 158, 160, 161, 162
 Congress 2, 4, 5, 6, 7, 9,
 10, 11, 12, 13, 14, 15, 16,
 17, 18, 19, 26, 27, 29, 32,
 34, 36, 37, 40, 41, 42,
 43, 44, 45, 46, 47, 48, 49,
 50, 51, 53, 64, 65, 66,
 67, 69, 71, 82, 94, 95, 96,
 98, 100, 101, 104, 105,
 106, 109, 110, 114, 115,
 116, 117, 118, 119, 120,
 121, 122, 123, 124, 125,
 126, 128, 129, 130, 131,
 132, 133, 138, 141, 142,
 158, 162, 168, 170
 Congress, Lahore 105
 Congress Left Wing 118
 Congress, Lucknow 15
 Constitution (Act of
 1935) 7, 18, 38, 41, 42,
 43, 51, 88, 117, 118, 119,
 120, 121, 132, 136, 137,
 141, 142, 149, 150, 151,
 169

Constitution, Dominion	120	George, Loyd	32, 33.
Cotton, Sir Henry	27	Ghose, Lal Mohan	27
Coupland, Prof	1, 2, 3, 4, 5, 6, 7, 9, 11, 13, 14, 17, 19, 20, 30, 40, 51, 53, 57, 73, 84, 86, 90, 91, 92, 93, 94, 119, 120, 124, 137, 141, 145, 170, 172	Gibson, Mr	11
Cripps' Offer	54, 55, 61, 83, 124, 166	Govt Interim	169, 173, 174
Cripps, Sir Stafford	6, 53, 59, 102, 125, 167	Govt of India Act (of 1935)	1, 44, 129
Curzon, Lord	27	Govt, Union	169, 171, 174
		Gomolka	158
		Group 'B'	173
		Group 'C'.	173.
Dalton	102		
Declaration (Draft) of March (30) 1942,	83, 84, 85, 115, 120, 121, 129, 135, 139, 142, 143	Hindu Mahasabha	48, 53, 58, 106, 115, 137.
Delegation, Parliamen- tary,	108, 166	Hindu Muslim Antagonism	20, 24, 30, 43, 44, 66, 69, 70, 73, 88, 113, 117.
Desai, Bhulabhai	95, 96	Hoare, Sir Samuel	39
Disruptionism	58, 61, 64, 65, 66, 67, 68, 69, 101, 102, 113, 114, 116, 118, 132, 171.	Home Rule Movement	33
Dominion Status	2, 35, 54, 61, 113	Hume	25, 36.
East India Company	14, 24, 140		
		Iftikharruddin, Mian,	104
Federal Court	118	Imperialism (British)	38, 43, 99, 102, 113, 128
Formula, Amery-ite,	108	Independence	21, 36, 40, 156, 166, 167
Friends of the Soviet Union	162	INA Officers	106
		INA Trials	106, 107
Gandhiji	11, 12, 16, 32, 34, 35, 36, 37, 38, 40, 41, 43, 45, 47, 48, 54, 64, 71, 72, 81, 82, 83, 95, 96, 100, 102, 109, 114, 115, 126, 130, 136, 138, 142, 165, 170	Iwin, Lord	36, 37
Gandhiji's Offer	54	IPTA	160, 161, 162
		Jallianwallabaug,	33, 107
		Jinnah,	14, 37, 38, 49, 51, 52, 55, 57, 64, 67, 68, 71, 72, 73, 75, 81, 82, 83, 89, 101, 104, 108, 109, 110, 116, 133, 136, 138, 139, 143, 145, 162, 166, 168.
		Joshi, P. C.	160, 161
		Jowitt,	102
		Keith, Sir Arthur	39
		Khan, Abdul Gaffar,	168
		Khan Saheb, Dr	95
		Konarov, Vladimir,	157
		Krishnan, N. K	161

Labour Government	36,	Nehru Report,	36
102, 103, 108, 121, 123,		NKVD Soviet	
131, 166		Gestapo	158, 159
Labour Party	6, 156, 170		
Laski, Prof	102	Oliver, Lord	29, 124.
League of Nations	82		
Liaquat, Ali Khan	95	Pakistan, 13, 52, 56, 57, 61,	
Lithgow, Lord	11, 12,	67, 71, 77, 95, 99, 102,	
18, 41, 42, 49, 56, 96,		104, 106, 108, 110, 111,	
103, 121.		124, 131, 133, 138, 143,	
Listowel, Lord	103	162, 170	
Lumley, Sir Roger	3	Partition of Bengal, 15, 28,	
Lytton, Lord	25	63	
		Patel, Sardar	
MacDonald, Ramsay	29, 36,	Vallabhbhai, 11, 104,	
37, 59.		142, 168	
Malcolm, Sir John	22	Pethick-Lawrence,	
Malik Khizr Hyat		Lord 102, 167, 168, 173	
Khan, 110		Pirpur Report	18
Middle East, 103, 152, 153,		Potsdam Conference, 103	
154, 155, 156, 157, 163.		Praja Mandals, 128	
Minto, Lord	15, 28, 29	Problem, Hindu-	
Mission, Cabinet	167, 168,	Muslim, 123	
169, 170, 173		Proclamation, Queen's	
Mitternich,	152	of 1857	25
Moghul	14, 20, 21, 23, 139		
Montague, Edwin	15, 33, 36	Quit India Movement	55,
Morley,	28	56, 71, 107, 109, 162	
Morrison,	102	Quit India technique	121
Muslim League, 10, 13, 16,			
17, 18, 19, 40, 48, 49, 50,		Rajaji Formula, 71, 72, 75,	
52, 53, 55, 56, 57, 68, 75,		88, 89, 95, 139, 144	
77, 83, 94, 98, 100, 101,		Rajen Babu, Dr	10
102, 109, 110, 111, 116,		Rajkot	11, 12, 47, 117
118, 122, 123, 124, 131,		Rakdiewicz,	158
132, 133, 138, 162, 166,		Reforms, Montford	15
168, 169, 170, 172		Reforms, Montagu-	
Mutiny, Indian	21	Chelmsford,	33, 34
		Reforms, Morley-Minto	15,
Nationalism, 1, 2, 10, 14,		28, 29, 30	
17, 29, 34, 37, 43, 44, 58,		Regionalism, 73, 83, 86, 88,	
62, 70, 71, 72, 89, 93,		89, 91, 92, 93, 94, 124,	
101, 102, 105, 107, 116,		137	
123, 130, 132, 134, 135,		Report, Anglo-American	
136, 140, 141, 171, 174		Commission's	154
Nehru, Jawaharlal	49, 142,	Report on the Constitu-	
168		tional Problem in	
Nehru, Motilal	35	India	1

Reserve Bank of India, 118, 141, 151	States, 9, 10, 11, 12, 13, 22, 32, 39, 40, 54, 58, 79, 84, 85, 86, 88, 89, 90, 116, 117, 119, 122, 127, 128, 136, 139, 146, 150, 151, 166, 168, 169
Resolution, Jagat Naram Lal, 104	Supreme Court 87, 141, 148, 159
Revolt, the Great Indian, 14, 24	Swarajya Party, 35
Ripon, Lord 25, 33, 101	Tilak, 27.
Round Table Confe- rence, 35, 37, 38, 75, 119, 128	Transfer of Population 73
Roy, Ram Mohan, 24, 26	Tuda, 155, 163, 164
Rushbrook Williams, Prof 22	Union Centre, 169, 170, 171, 172
Russia (U.S.S.R.), 28, 60, 94, 95, 97, 98, 99, 100, 103, 110, 114, 131, 152, 153, 154, 155, 156, 157, 158, 159, 163, 164	Unionist Ministry, 57.
San Francisco, 97, 98.	Unionist Muslims, 110
Sapru Committee, 94, 95, 97, 98	Unity, Hindu-Muslim, 70, 73, 115
Sapru, Sir Tej Bahadur, 38	U N O 152
Saraswati, Dayanand 24, 25	U N R R A 158
Sayani, 26	Westminster Statute 3
Scheduled Castes, 58, 114	Wavell, Lord 3, 56, 95, 96, 97, 100, 101, 102, 123, 165, 166
Scheduled Class, 126, 127	Wavell Plan 102, 165
Seely, 26	World Trade Conference, 155, 156 .
Shah Nawaz, Capt 106, 107	World War, I 31
Sikhs, 21, 57, 76, 105, 110, 125, 143, 173	Zionism, 154, 155.
Simla Conference, 100, 101, 165, 168	Zone, Muslim 71, 72, 73, 74, 75, 80, 88, 144, 146, 147, 149, 150
Simon Commission, 35	Zonal Division of India, 70, 72, 79, 83
Simond, Lord 35	
Stalin 81, 94	
State, Limbdi 12	